1447. f.

THE HISTORY OF THE PROVINCE OF MASSACHUSETS-BAY,

FROM THE

Charter of King WILLIAM and Queen MARY,

IN 1691,

Until the Year 1750.

By MR. HUTCHINSON,

Lieutenant-Governor of the Province.

BOSTON, NEW-ENGLAND:
Printed by THOMAS & JOHN FLEET, in Cornhill,
and Sold in Union-Street, oppofite to the Cornfield.
MDCCLXVII.

46.
7. 30
1 109.



CONTENTS.

THE PREFACE. Page i.

CHAP. I. *From the Charter in* 1691, *until the arrival of Governor* Dudley *in* 1702. Page 1.

CHAP. II. *From the arrival of Governor* Dudley, *in* 1702, *to the arrival of Governor* Shute, *in* 1716. p. 134.

CHAP. III. *From the arrival of Governor* Shute, in 1716, *to the arrival of Governor* Belcher, *in* 1730. p. 217.

CHAP. IV. *From the arrival of Governor* Belcher, *in* 1730, *to the reimburſement of the Charge of the Expedition againſt* Cape Breton, *and the abolition of Paper Money, in* 1749. p. 369.

APPENDIX.

NUMB. I. *A Summary of the Affairs of the Colony of* New-Plimouth, *from the firſt Settlement until the Incorporation with* Maſſachuſets Bay, *&c. in one Province.* p. 449.

NUMB. II. *The Examination of Mrs.* Ann Hutchinſon *at the Court at* Newtown, *November* 1637. p. 482.

ERRATA.

Page 105, line 42, for *or their* read *of envy*,
p. 147, l. 36, for *children* r. *grand children*,
l. 37, for *father's* r. *grand father's*,
p. 216, l. 21, for 87 r. 77,
p. 400, l. 6, for *line* r. *time*.

The PREFACE.

THE conſtitution and hiſtorical occurrences of the colonies in America become, every day, more and more, ſubjects of ſpeculation in Great-Britain. To this I attribute the favorable reception given, there, to my hiſtory of the colony of Maſſachuſets-bay, which I intended meerly for the benefit of my own countrymen, and to preſerve, among them, the remembrance of facts but little intereſting to the reſt of the world.

THE peruſal of the materials from which I compoſed my work, eſpecially the letters and papers of our firſt planters, afforded me a very ſenſible pleaſure. We are fond of prolonging our lives to the utmoſt length. Going back to ſo familiar an acquaintance with thoſe who have lived before us, approaches the neareſt to it of any thing we are capable of, and is, in ſome ſort, living with them. I was ſo pleaſed with their company, that the further enjoyment of the ſame kind of pleaſure was inducement enough to collect and peruſe materials for the hiſtory of the Province of Maſſachuſets from the year 1692, when we concluded the hiſtory of the

Colony.

Colony. I found that a little more time, than the bare peruſal required, would be ſufficient to arrange the materials and reduce them to order, and I ſet about it with a view to render them of uſe to poſterity. I had proceeded as far as the year 1730, when a misfortune befel me which had like to have rendered my paſt labour of no effect and to have prevented me from proceeding any farther. The ſtamp-act had diſturbed the minds of the people of America. In ſuch a ſtate of affairs, the vicious, the abandoned have a peculiar opportunity of gratifying their corrupt affections of envy, malice and revenge. I had in public and private, in every way and manner which appeared to me the moſt prudent, endeavoured to ſhew the inexpediency of an act of parliament of this nature, but an unaccountable jealouſy of the contrary had been infuſed into the minds of the populace, and, being thus miſguided, they expreſſed their reſentment and rage by breaking into my houſe, deſtroying and ſcattering all my furniture, books, papers, &c. The ſober virtuous part of the province expreſſed the greateſt deteſtation of this act of violence, and few or none ventured to juſtify or approve of it. The loſs which I ſuſtained, as far as it was reparable, by his Majeſty's moſt gracious recommendation to the province and their generous grant in conſequence of it, both which, in this public manner, I moſt gratefully acknowledge, has been repaired or compenſated, but the loſs of many papers and books, in print as well as manuſcript, beſides my family memorials, never can be repaired.

FOR ſeveral days, I had no hopes of recovering any conſiderable part of my hiſtory, but, by the great care and pains of my good friend and neighbour the reverend Mr. Eliot, who received into his houſe all my books and papers which were ſaved, the whole manuſcript, except 8 or 10 ſheets, were collected together and, altho' it had lain in the ſtreet ſcattered abroad ſeveral hours in the rain; yet ſo much of it was legible as that I was able to ſupply the reſt and tranſcribe it. The moſt valuable materials were loſt, ſome of which I deſigned to have publiſhed in the appendix. I pray God to forgive the actors in and adviſers to this moſt ſavage and inhuman injury, and I hope their poſterity will read with pleaſure and profit what has ſo narrowly eſcaped the outrage of their anceſtors.

THE hazard which attends ſuch papers, together with the requeſt of many of my friends, induced me to publiſh my manuſcript ſooner than I intended.

I have carried down the ſtory to the year 1750, but that part which relates to the laſt 20 years in a more general way, being deprived of ſome papers which would have enabled me to render it more particular and circumſtantial.

SOME of my friends of the colony of New-Plimouth took it unkindly, that I ſaid no more of their affairs in the firſt part of the hiſtory. My principal object was the Maſſachuſets colony; beſides, I never could meet with many papers relative

relative to Plimouth. From ſuch papers as I have been able to obtain I have prepared the beſt ſummary I could, to which I ſhall give a place in the appendix.

I have endeavored to avoid offence to any perſons or families, as far as my obligations to truth would permit.

We ſhall never be all of one mind in our political principles. I deſire no more candour from thoſe who differ from me, than I ever have been, and ever ſhall be ready to ſhew to them.

CHAP. I.

CHAP. I.

From the Charter in 1691, until the arrival of Governor Dudley in 1702.

A BRIEF recapitulation of the riſe and progreſs of the Maſſachuſets colony, may not be an improper introduction to this ſecond part of our hiſtory.

THE firſt planters of the Maſſachuſets colony removed to America, expecting, there, to enjoy civil and religious liberty, in a greater degree than their fellow-ſubjects, at that time, enjoyed it in England. The country, to which they removed, was claimed by the crown of England, by right of diſcovery. The property of a very large tract, in which Maſſachuſets bay is contained, had been granted to a certain corporation called the council of Plimouth in Devon. This council made a grant of Maſſachuſets bay to Sir Henry Roſwell and others, who intended to ſend out planters and ſervants to be under the direction of the proprietors in England. An incorporation was thought neceſſary, and a charter was obtained from King Charles, which, ſome manuſcripts ſay, coſt the company two thouſand pounds ſterling.* The principal undertakers were puritans: Planters and miniſters, of the ſame perſuaſion, together with ſervants, cattle, and all neceſſaries for beginning a

* "I paid 50*l.* and Mr. Eaton 100*l.* and ſundry other merchants the ſame ſums reſpectively for the purchaſe of the charter, we being members of the corporation for N. E." *John Davenport's lett. to John Cotton, N. Haven, 24. 4m. 65.*

colony, were ſent over; the expence of which was very great. Subſcriptions were ſlowly paid, and a cloud aroſe, very early, upon the affairs of the colony; but it was ſoon diſpelled by a propoſal from Johnſon, Winthrop, and ſeveral other puritans of good families and eſtates, to remove to America; provided they might carry the charter with them, and manage the affairs of the colony without any dependence upon ſuch of the company as ſhould remain in England. This, by ſome, was thought irregular; but, after conſultation, was agreed to. The removal of ſo many perſons of character induced a great number of others, of the ſame opinions, who were not of the company, to remove with or follow after them, and put themſelves under their protection and government. They complained of the then reigning Prince, that he deprived his ſubjects of their juſt rights, and had no regard to the great charter of the kingdom. What dependence then could, rationally, be placed upon a ſpecial charter to a ſmall part of his ſubjects in America? They were ſoon convinced that it was an inſufficient ſecurity. A circumſtantial account of an attempt to vacate it the ſecond year after their removal, we have in a letter to the governor from Emanuel Downing, father of Sir George Downing. †

IN 1638, a formal demand was made of the ſurrender of their charter, which was refuſed, and other proceedings followed, which would have iſſued in a final deciſive judgment carried into execution, and probably have proved fatal to the plantation, if the change of affairs in England had not prevented. Upon this change, the colony became a favorite. The principal men were the intimate friends of the leading members of parliament, Pym, Hambden, &c. who had been engaged with them, and from time to time were expected to join them. Whilſt Cromwell ruled, he ſhewed them all the indulgence they deſired.

FROM

† This was a very ſenſible letter, and I intended to have printed it, but it was unfortunately deſtroyed.

FROM 1640 to 1660 they approached very near to an independent commonwealth; and, during this period, compleated a ſyſtem of laws and government, the plan of which they had before laid and began to execute. In this they departed from their charter; and inſtead of making the laws of England the ground work of their code, they preferred the laws of Moſes; and, notwithſtanding the charter knew no repreſentative body,* they eſtabliſhed one; and, although it gave them no power to judge and determine capital offences, they gave this power to the judicatories they erected. This laſt proviſion became neceſſary, from their diſtance from the judicatories in England; but I know not how to excuſe the perſecution of all who could not conform to their religious eſtabliſhment, when their charter granted toleration to all chriſtians, except papiſts.

FOR the firſt 30 years, although the governor and aſſiſtants were annually choſen by the body of the people, yet they confined themſelves to the principal gentlemen of family, eſtate, underſtanding and integrity; but, as one ſaid, who lived at that time when King Charles commanded them to fill up their numbers in government, which they had neglected, the new perſons impowered were *Dii minorum gentium*; and one of their divines told them in public they were in danger of being undone by creeping ſtateſmen.

UPON the reſtoration, not only epiſcopalians, but baptiſts, quakers, Gortoniſts, &c.† preferred complaints againſt the colony; and although, by the intereſt of the Earl of Mancheſter and Lord Say, their old friends, and of ſecretary Morrice, all puritans, King Charles confirmed their charter, yet he required a toleration in religion and an alteration in civil matters, neither of which were fully

 complied

* Douglaſs in his Summary p 409. 1ſt part, ſpeaks of repreſentatives of townſhips in the old charter. He is erroneous.

† Several perſons who have obſerved in the firſt volume a reference to a manuſcript hiſtory of the trial of Mrs. Hutchinſon, for her religious tenets, expreſſed their concern that it was not printed; we ſhall give it a place in the appendix to this volume.

complied with. The heirs of Ferdinando Gorges and of John Maſon alſo complained, that, by a liberal conſtruction, the Maſſachuſets had extended their bounds to comprehend the provinces of Main and New-Hampſhire. Commiſſioners were ſent over in 1665, to ſettle the bounds of the colonies and to make enquiry into their ſtate in general. The Maſſachuſets denied their authority, and pronounced the commiſſion a violation of their charter.

NOTWITHSTANDING the acts of parliament for regulating and reſtraining the plantation trade, a conſtant trade was carried on with foreign countries for contraband and enumerated commodities. This gave great offence. There was no cuſtom-houſe. The governor was the naval officer, with whom or his deputy all veſſels entered and cleared. The governor, being annually elected by the people, was the more eaſily diſpoſed to comply with popular opinions. It ſeems to have been a general opinion that acts of parliament had no other force, than what they derived from acts made by the general court to eſtabliſh or confirm them. This could not conſiſt with the charter. By this, they could make no laws repugnaut to the laws of England. ‡ Had the corporation continued within the realm, as was intended, the company and every member muſt undoubtedly have been ſubject to the law of the land. Upon complaint made by Edward Randolph, who firſt came over in 1676, and by repeated orders from the crown to conform to the acts of trade, they paſſed an act or law of the colony, declaring that thoſe acts ſhould be executed there. For ſeveral years, they were threatned with the loſs of their charter. Randolph was unwearied in ſolliciting againſt them. § By repeated addreſſes and agencies, they endeavoured

‡ This clauſe has been conſtrued, by ſome, in another colony (Rhode Iſland) to intend the common law only, and not ſtatutes, eſpecially not ſuch as were made after the date of their charter.

§ Mr. Randolph had the principal ſhare in bringing forward the quo warranto againſt the charter, which ſeems to have rendered

deavoured to exculpate themſelves, but to no purpoſe. In 1684, by a judgment or decree in chancery, their charter was declared forfeited, and their liberties were ſeized into the King's hands; and whatever opinion ſome had formed, that their ſubjection depended upon mutual compact between the crown and the colony, they were forced to ſubmit to ſuperior power and to ſuch form of government as King Charles the ſecond and his ſucceſſor King James thought fit to eſtabliſh. Upon the firſt advice of the landing of the Prince of Orange, they re-aſſumed their charter, and earneſtly ſollicited a re-eſtabliſhment of it, with ſome neceſſary additional powers: but the King could not be prevailed upon to conſent to it. A new charter was obtained; from the arrival of which, this ſecond part of their hiſtory is to be carried on.

BUT before we proceed, it will be proper to obſerve the difference between the new and the old charter, with reſpect to the territory and to the powers of government. The new province contained the whole of the old colony, without any deduction or reſerve; and to this were added the old colony of New Plimouth, the province of Main, the province of Nova Scotia, and all the country between the province of Main and Nova Scotia, as far northward as the river St. Lawrence, alſo Elizabeth iſlands, and the iſlands of Nantucket and Martha's Vineyard. A vaſt expoſed frontier muſt bring heavy burthens upon a government. In the courſe of ſixty years, the province of Maſſachuſets-Bay hath been at greater expence and hath loſt more of its inhabitants than all the other colonies upon the continent taken together.

THE two colonies of Maſſachuſets-Bay and New Plimouth were tolerably well peopled; but the province of

dered him odious, more than the ſhare he had in the ſucceeding adminiſtration as one of Sir Edmund's council. When he was impriſoned and applied for bail, the houſe of repreſentatives, June 25. 1689, voted "that Mr. Edward Randolph is not bailable, he having broke a capital law of this colony in endeavouring and accompliſhing the ſubverſion of our government, and having been an evil councellor."

Main had never been ſtocked with inhabitants; and, juſt before the new incorporation, had been depopulated by the wars with French and Indians. The whole province of Nova Scotia was deſtitute of Britiſh inhabitants; and although there were ſeveral thouſand French, who had been lately conquered, yet they were a burden, and there could be no dependence placed upon their fidelity. From the time of the conqueſt of Nova Scotia, the Maſſachuſets colony had conſidered the inhabitants as part of the colony, and had given commiſſions and inſtructions to perſons for the exerciſe of government there. All the lands, between the province of Main and Nova Scotia, were uninhabited, except at and near Pemaquid, where there were a few ſcattering Engliſh; and upon the principal rivers, the Penobſcot, Machias and Norridgawock Indians had their wigwams. The bounds of this vaſt territory were underſtood, to be the river Saint Lawrence on the north, the colonies of Rhode Iſland and Connecticut on the ſouth, the atlantic on the eaſt, and the ſouth ſea on the weſt; but within theſe limits lay the provinces of New Hampſhire * and New York. In the controverſies with ſeveral of the other governments, it has been urged againſt the Maſſachuſets, that their weſtern boundary could be extended no farther than where the

* Whilſt the event of the Maſſachuſets ſollicitations was uncertain, New Hampſhire lay ſtill. Samuel Allen, who claimed the ſoil by purchaſe from John Maſon's heirs, was in expectation of a commiſſion for the government alſo, and oppoſed the motion of the Maſſachuſets agent for including New Hampſhire in the ſame charter with the Maſſachuſets, &c. alledging that the inhabitants were averſe to it. As ſoon as the tenor of the charter was known, addreſſes were ſent over to Sir Henry Aſhurſt from the aſſembly of New Hampſhire, and from the inhabitants in general, praying that his Majeſty would annex them to Maſſachuſets government. Encouragement to hope for ſucceſs was given by Lord Nottingham, but the King, however friendly to the liberties of the nation, was leſs diſpoſed to enlarge the privileges of the coloniſts than ſome of his miniſters. This plainly appeared to the Maſſachuſets agents. It was finally determined that New Hampſhire ſhould be under the ſame government with the Maſſachuſets, but not with the ſame privileges.

the line met with Rhode Iſland or Connecticnt. The words in the charter are, " from the atlantic towards the " ſouth ſea or weſtward as far as the colonies of Rhode " Iſland, Connecticut and the Naraganſet country." The Maſſachuſets colony was the northern boundary of Rhode Iſland and Connecticut; it was impoſſible therefore, the new province which contained the whole of the old colony ſhould, generally, be bounded weſt upon either of thoſe colonies; and it would be a ſtrange conſtruction, to ſuppoſe a corner of Rhode Iſland colony, which is but a few miles from the atlantic, to be the utmoſt limits the province was to extend weſtward; for it could then contain but a very ſmall part of the old colony of Maſſachuſets, whereas the whole is expreſly included. The only ſenſe the words can bear, undoubtedly, is this, viz. that the province ſhall extend as far towards the ſouth ſea or weſtward as Rhode Iſland or Connecticut do extend. Naraganſet country, although it lies between Rhode Iſland and Connecticut, is mentioned after Connecticut, becauſe it was then claimed by that colony, as within the bounds of their charter; and the Maſſachuſets agents favoured that claim, and conſidered it as an appendage to Connecticut.

THE Governor, under the old charter, altho' he carried great porte (ſo does the Doge of Venice) yet his ſhare in the adminiſtration was little more than that of any one of the aſſiſtants. He had the power of calling the general court upon urgent occaſions, ſo had the deputy governor or major part of the aſſiſtants, if the governor did not think fit to do it; but he could not adjourn, prorogue or diſſolve the court; the vote of the major part of the whole court was neceſſary. He voted with the aſſiſtants, and if there was an equal vote, his vote was twice counted to make a caſting vote. He gave commiſſions to civil and military officers, but this was meerly a miniſterial act, in which nothing was left to his diſcretion, all officers being elected by the general court. Under the new charter, there muſt be an annual meeting

of the general court, on the laſt wedneſday in May; but the governor calls an aſſembly at any other times he thinks proper, and adjourns, prorogues and diſſolves at pleaſure. He has no vote in the legiſlature, and does not, or regularly ſhould not, intereſt himſelf in matters in debate, in council, or in the houſe; but no act of government is valid without his conſent. He has the appointment of all military officers, ſolely, and of all officers belonging to the courts of juſtice, with the conſent of the council; other civil officers are elected by the two houſes, and he has his negative; no money can iſſue out of the treaſury but by his warrant, with the advice and conſent of the council.

THE aſſiſtants or councellors, under the old charter, were annually elected by the votes of all the freemen in the colony; they were not only, with the governor, one of the two branches of legiſlature, but the ſupreme executive court in all civil and criminal cauſes, except in ſuch caſes where, by the laws, an appeal was allowed to the general court. The new charter provides, that upon the laſt wedneſday in May annually, twenty eight councellors ſhall, by the general court or aſſembly, be newly choſen. At the firſt election, it was made a queſtion, whether, by the general court or aſſembly, was intended the houſe of repreſentatives only, or the whole three branches, and it is handed down to us, by tradition, that after ſome time ſpent in meſſages and replies, the council of the former year gave up the point, and ſent Major Walley, one of their number, to acquaint the houſe with it; but when he came to the door he heard the Speaker putting the queſtion to the houſe, and finding they had conceded to the council, he returned without delivering his meſſage; and a committee coming ſoon after from the houſe to bring up the vote, the council, by this accident, retained a privilege which they have been in the exerciſe of ever ſince; † and, no doubt,

† It ſeems by the records that the governor voted this year with the council and houſe.

doubt, it is in a great meaſure owing to this, that any great change in the council has been rarely effected, even when there have been very warm altercations between the two houſes the preceding year. It is very difficult to form a ſecond branch of legiſlature, analogous to the ſecond branch in the Britiſh conſtitution. The colonies are not ripe for hereditary honours, otherwiſe there ſeems no more room for exception to them there, than in Ireland. In the charter governments, of Connecticut and Rhode Iſland, this branch is more dependent upon the people in general, than the houſe of repreſentatives; the firſt being elected by the freemen in general, the laſt by the freemen of their ſeveral towns; and there have been inſtances, in thoſe colonies, where the repreſentatives have had virtue enough to withſtand popular prejudices, when the council have not. In the royal governments, as they are called, the council can ſcarcely be conſidered as a diſtinct branch; frequently they receive their appointment from the recommendation of the governor; they are always liable to be ſuſpended by him, and if it be without ſufficient cauſe, the remoteneſs of the colonies from the place where redreſs is to be obtained, and the expence of ſolliciting it, are, very often, ſufficient to diſcourage from applying for it. In the Maſſachuſetts, this branch is dependent both upon the governor and people, and we have ſeen, at different times, the influence of the one or the other over this branch, according to the degree of ſpirit and reſolution which has reſpectively prevailed. We have ſeen inſtances alſo of councellors, who have had fortitude enough to reſiſt an undue influence from either, and who from year to year have had violent oppoſition to their election. We have ſeen ſo many good men members, that I may not give the epithet to this branch which is ſometimes uſed for the ſmall boroughs in England. But we have often ſeen, that the moſt likely way to ſecure a ſeat for many years is to be of no importance, and therefore it muſt be pronounced defective. Neither in the Maſſachuſets

chuſets, nor in the royal governments, do we meet with that glorious independence, which makes the houſe of Lords, the bulwark of the Britiſh conſtitution, and which has ſometimes ſaved the liberties of the people from threatned encroachments, and at other times put a ſtop to advances making upon the royal prerogative.

THE repreſentatives, under the old charter, were elected by freemen only; under the new, every freeholder of forty ſhillings ſterl. a year is a voter, and ſo is every other inhabitant who has forty pounds ſterling perſonal eſtate. The ſpeaker of the houſe was at firſt elected and took his place without any notice to the governor; and for many years after the preſent charter, there was only the formality of notice, until diſputes, upon other points with the governor, cauſed him to inſiſt upon his right of negativing the ſpeaker, which the houſe was obliged, after a long ſtruggle, to ſubmit to.

WE find nothing, in the new charter, of an eccleſiaſtical conſtitution. Liberty of conſcience is granted to all, except Papiſts. The agent ſuppoſed, that the power, given to the general court to make laws, was ſufficient for ſupporting and encouraging ſuch modes of worſhip and ſuch form of church government as ſhould be moſt agreeable to the inhabitants in general.‡ At the firſt ſeſſion of the general court, an act paſſed, eſtabliſhing all the local laws of the Maſſachuſets province, until other proviſion ſhould be made. By this law, the platform of church diſcipline, among the other laws, was eſtabliſhed, but the law was diſapproved in England. At the next ſeſſion, by another law, it was enacted, "that the reſpec-
"tive churches, in the ſeveral towns within this province,
"ſhall, at all times hereafter, uſe, exerciſe and enjoy all
"their privileges and freedoms, reſpecting divine worſhip,
"church

‡ Religion is ſecured, for liberty is granted to all men to worſhip God after that manner, which, in their conſciences, they ſhall be perſuaded is the moſt ſcriptural way. The general court may, by laws, encourage and protect that religion which is the general profeſſion of the inhabitants there. *Inc. Mather's account of his negociations.*

"church order and diſcipline, and ſhall be encouraged in "the peaceable and regular profeſſion and practice "thereof." An attempt was ſoon made, to continue the practice of an appeal to the general court in controverſies upon eccleſiaſtical matters. A great part of the church and inhabitants of Salem village, petitioned the general court to appoint an eccleſiaſtical council to ſettle a controverſy with Mr. Paris, the miniſter, but the court refuſed. There have been inſtances of the general court's interpoſing, ſo far as to recommend an eccleſiaſtical council; and ſometimes committees have been appointed by the court, for the ſake of preſerving or reſtoring peace, profeſſing, rather to adviſe than enjoin meaſures, but exceptions have generally been taken to ſuch votes or orders of court, as irregular, and not conſiſting with the dignity of the ſupreme legiſlative authority of the province. Synods were occaſionally called, under the old charter. Some ſteps were taken for calling a ſynod about thirty years after the new charter arrived, but a royal inſtruction prevented any further progreſs.

If the firſt commiſſions from the crown, to the governor of any colony, and the form of government preſcribed by ſuch commiſſions, are a precedent to be followed in all ſucceeding commiſſions, and a ſyſtem of laws once approved by the crown cannot be repealed (all which is contended for by the inhabitants of the royal governments) the charter to the Maſſachuſets was not ſo great a boon as our forefathers generally imagined, the material difference in the conſtitutions, being in the ſecond branch, only, of the legiſlature;* but it is certain, that, at the time

* "The Maſſachuſets agents conſidering that a naked reſtitution of their charter, in which ſo many of the neceſſary powers of government were omitted, would not ſerve their turn, put in their prayer for additional powers ſpecially named, which being obſerved by the Lords were ſet down in their report, and upon the whole matter it was reſolved, that their government ſhould be in all points as in the other plantations, ſaving that once in a year they ſhould have an election of their councellors, who ſhould make the upper houſe in all general aſſemblies." M. S. letter 1694.

time of granting the charter, it was deemed a much greater ſecurity to the people for the enjoyment of the privileges granted by it, than they could have had merely from a royal temporary commiſſion to a governor.

THE diſtreſs of the people, at the time of the arrival of the charter, is repreſented to have been peculiarly great. The ſea coaſt was infeſted with privateers, ſo that few veſſels could eſcape them; the inland frontiers eaſt and weſt were continually harraſſed by French and Indian enemies; a late expedition againſt Canada had expoſed the province to the reſentment of France, the effects of which were from time to time expected; the ſame expedition brought ſo heavy a debt upon the government, that it required all the ſkill of the adminiſtration to ſupport the public credit, and to procure farther ſupplies for carrying on the war; a ſtrong party in the government had oppoſed every other meaſure, except the adhering to the old charter, and was now diſſatisfied with the acceptance of the new; but the greateſt misfortune was, an apprehenſion that the devil was let looſe among them, that many had entred into a league with him, and others were afflicted, tormented and the ſubjects of diabolical rage and fury. The minds of people in general were ſeized with gloom and horror. The greater part were credulous and believed all they heard, and expected by and by their own turn; the few, who believed the whole to be an impoſture or deluſion, were afraid to diſcover their ſentiments, leaſt ſome who pretended to be bewitched ſhould accuſe them, and in ſuch caſe there was no room to hope for favour.

1692. SIR William Phips arrived at Boſton with the charter Saturday the 14th of May, towards evening. On Monday he was conducted from his houſe to the town-houſe, by the regiment of Boſton, the military companies of Charlestown, the magiſtrates, miniſters and principal gentlemen of Boſton and the adjacent towns. The charter was

firſt publiſhed, then the governor's commiſſion;* and thereupon the venerable, old charter, governor Bradſtreet reſigned the chair; I dare to ſay, not without a deep ſigh from many of the ſpectators. After publiſhing the lieutenant governor's commiſſion, and adminiſtering the oaths, the governor was conducted, with the ſame parade, to the place appointed for a publick dinner, and from thence to his houſe again.† By the firſt ſhips, letters from the governor and council were ſent to the Archbiſhop of Canterbury, the Earl of Nottingham, and the Counteſs of Sutherland, Hugh Boſcawen, John Hambden, and Francis Charlton Eſqrs. thankfully acknowledging the favour Mr. Mather the agent had received from them and the affection which they had diſcovered to the intereſt of their Majeſties ſubjects in the province. At the firſt general council for the appointment of ſheriffs juſtices and other civil officers, the governor either miſconceived, or was prevailed upon to give up, the powers which belonged to him by charter, the council nominating or chuſing the officers, and the governor giving his conſent. This practice would have leſſened the weight and influence of the governor. It was not ſuffered long to continue. After the vacating the colony laws under the old charter, by the publication of the new charter, there was room to queſtion what was the rule of law in civil 1692.

* Sir William, by his commiſſion, was appointed captain-general over the colonies of Connecticut and Rhode-Iſland, and it is ſaid went to the laſt named government ſoon after his arrival at Boſton, in order to ſettle the militia there. He divided the colony into regiments, and a great number of military commiſſions were ſent up to Col. Sanford, who was intended to be the chief military officer of the colony; but there being no law of the colony to enjoin ſubmiſſion, no regard was paid to them by the people, and moſt of the officers refuſed to take the commiſſions. This probably was the reaſon the government there gave themſelves but little concern. Mr. Dudley afterwards attempted to exerciſe the ſame authority with as little ſucceſs.

† The ceremony was opened with prayer by Mr. Allen, a miniſter of Boſton, and concluded in like manner by Mr. Morton, a miniſter of Charleſtown. Some of the ſprit of the old charter remained.

time of granting the charter, it was deemed a much greater ſecurity to the people for the enjoyment of the privileges granted by it, than they could have had merely from a royal temporary commiſſion to a governor.

THE diſtreſs of the people, at the time of the arrival of the charter, is repreſented to have been peculiarly great. The ſea coaſt was infeſted with privateers, ſo that few veſſels could eſcape them; the inland frontiers eaſt and weſt were continually harraſſed by French and Indian enemies; a late expedition againſt Canada had expoſed the province to the reſentment of France, the effects of which were from time to time expected; the ſame expedition brought ſo heavy a debt upon the government, that it required all the ſkill of the adminiſtration to ſupport the public credit, and to procure farther ſupplies for carrying on the war; a ſtrong party in the government had oppoſed every other meaſure, except the adhering to the old charter, and was now diſſatisfied with the acceptance of the new; but the greateſt misfortune was, an apprehenſion that the devil was let looſe among them, that many had entred into a league with him, and others were afflicted, tormented and the ſubjects of diabolical rage and fury. The minds of people in general were ſeized with gloom and horror. The greater part were credulous and believed all they heard, and expected by and by their own turn; the few, who believed the whole to be an impoſture or deluſion, were afraid to diſcover their ſentiments, leaſt ſome who pretended to be bewitched ſhould accuſe them, and in ſuch caſe there was no room to hope for favour.

1692. SIR William Phips arrived at Boſton with the charter Saturday the 14th of May, towards evening. On Monday he was conducted from his houſe to the town-houſe, by the regiment of Boſton, the military companies of Charlestown, the magiſtrates, miniſters and principal gentlemen of Boſton and the adjacent towns. The charter was

firſt

firſt publiſhed, then the governor's commiſſion;* and thereupon the venerable, old charter, governor Bradſtreet reſigned the chair; I dare to ſay, not without a deep ſigh from many of the ſpectators. After publiſhing the lieutenant governor's commiſſion, and adminiſtering the oaths, the governor was conducted, with the ſame parade, to the place appointed for a publick dinner, and from thence to his houſe again.† By the firſt ſhips, letters from the governor and council were ſent to the Archbiſhop of Canterbury, the Earl of Nottingham, and the Counteſs of Sutherland, Hugh Boſcawen, John Hambden, and Francis Charlton Eſqrs. thankfully acknowledging the favour Mr. Mather the agent had received from them and the affection which they had diſcovered to the intereſt of their Majeſties ſubjects in the province. At the firſt general council for the appointment of ſheriffs juſtices and other civil officers, the governor either miſconceived, or was prevailed upon to give up, the powers which belonged to him by charter, the council nominating or chuſing the officers, and the governor giving his conſent. This practice would have leſſened the weight and influence of the governor. It was not ſuffered long to continue. After the vacating the colony laws under the old charter, by the publication of the new charter, there was room to queſtion what was the rule of law in civil 1692.

* Sir William, by his commiſſion, was appointed captain-general over the colonies of Connecticut and Rhode-Iſland, and it is ſaid went to the laſt named government ſoon after his arrival at Boſton, in order to ſettle the militia there. He divided the colony into regiments, and a great number of military commiſſions were ſent up to Col. Sanford, who was intended to be the chief military officer of the colony; but there being no law of the colony to enjoin ſubmiſſion, no regard was paid to them by the people, and moſt of the officers refuſed to take the commiſſions. This probably was the reaſon the government there gave themſelves but little concern. Mr. Dudley afterwards attempted to exerciſe the ſame authority with as little ſucceſs.

† The ceremony was opened with prayer by Mr. Allen, a miniſter of Boſton, and concluded in like manner by Mr. Morton, a miniſter of Charleſtown. Some of the ſprit of the old charter remained.

1692. civil and criminal matters, and how far the common law and what ſtatutes took place. The council, appointed by the charter,† were to continue until May 1693, and ſo

* The council appointed by the new charter were—*Simon Bradſtreet*, *John Richards*, *Nathanael Saltonſtall*, *Wait Winthrop*, John Phillips, *James Ruſſell*, *Samuel Sewall*, *Samuel Appleton*, *Bartholomew Gedney*, *John Hawthorn*, *Eliſha Hutchinſon*, *Robert Pike*, Jonathan Curwin, *John Joyliffe*, Adam Winthrop, Richard Middlecot, John Foſter, Peter Serjeant, Joſeph Lynd, Samuel Hayman, Stephen Maſon, *Thomas Hinkley*, *William Bradford*, *John Walley*, *Barnabas Lothrop*, Job Alcot, Samuel Daniel, and Silvanus Davis. Thoſe in *italick*, had been aſſiſtants in Maſſachuſets or Plimouth colonies. Bradſtreet was an old ſenator, having been in conſtant ſervice, except in Dudley's and Androſs's adminiſtration, for 62 years. Richards, although he came into the country in low circumſtances (Randolph, in one of his letters, ſays he was a ſervant) yet became an opulent merchant in Boſton, had been employed as agent with Dudley, but remained ſteady to what was called the country intereſt. Saltonſtall was the grandſon of Sir Richard, and the father of Gurdon Saltonſtall, afterwards governor of Connecticut. He lived at Haverhill. Wait Winthrop was the ſon of the firſt governor of Connecticut and New-Haven colonies united, and grandſon of the firſt governor of Maſſachuſets. He was originally of Connecticut, and not long before removed to Boſton, and was one of Androſs's council. Phillips and Ruſſel were both of Charleſtown; the latter the ſon of Richard Ruſſel, choſen aſſiſtant in 1659. Sewall was originally of Newbury, but had lived ſeveral years at Boſton. Appleton, of Ipſwich. Gedney and Hawthorn, of Salem; the latter, ſon of William Hawthorn, the firſt ſpeaker upon record, and afterwards an aſſiſtant. Hutchinſon was a merchant in Boſton, ſon of Edward Hutchinſon who was killed by the Indians in 1675, and grandſon to Mrs. Hutchinſon who was baniſhed for her religious opinions. Pike was of Saliſbury, a principal military officer there. Curwin, of Salem, eſteemed, and connected with the principal families there. Joyliffe, of Boſton, had been many years an active ſelectman and of primitive zeal. Adam Winthrop, (deſcended, by a younger ſon, from the firſt governor) had been very active in the revolution: He was of Boſton, as was alſo Middlecot who had a good eſtate in Warminſter in England, where ſome of his poſterity are now living. Foſter was a merchant in Boſton, of the firſt rank, who came not many years before from Ailſbury in England, but had a great ſhare in the management

ſo no ſpecial proviſion was made for a general aſſembly 1692.
in May 1692, but writs iſſued immediately upon the governor's arrival, and the court met the 8th of June and an act paſſed, declaring that all the laws of the colony of Maſſachuſets bay and the colony of New-Plimouth, not being repugnant to the laws of England nor inconſiſtent with the charter, ſhould be in force, in the reſpective colonies, to the 10th of November 1692, except where other proviſion ſhould be made by act of aſſembly, and all juſtices of the peace (aſſiſtants, like aldermen of London, were, ex officio, juſtices under the old charter) had the ſame powers given to them, in the execution of laws, which magiſtrates uſed to have. The confuſion, the country was in, from the ſuppoſed witchcrafts, ſeems to have occaſioned an adjournment of the general court on the 2d of July, to the ſecond Wedneſday in October; very little public buſineſs having been done during the ſeſſion.

THE great noiſe which the New England witchcrafts made throughout the Engliſh dominions, proceeded more from the general panick with which all ſorts of perſons were

ment of affairs from 1689 to 1692. Serjeant and Lynd were alſo of Boſton. Hayman, of the province of Main. Maſon was a merchant in London, a zealous man in the cauſe of New England, and I ſuppoſe his name was inſerted in the charter from mere reſpect and gratitude, for he never came to New-England. Hinkley had been many years governor of New Plimouth. Bradford was ſon to Governor Bradford; and Walley and Lothrop were of good families in that colony. Alcot and Daniel, or, Donnell, were of the province of Main. Davis, of the country farther eaſt or Sagadehoc; he had been commander of the fort at Caſco, where he was taken priſoner and carried to Canada. However dry this account may appear to ſome readers, it may not be diſagreeable to others, and perhaps may excite a laudable ambition in ſome of the deſcendants of the firſt magiſtrates to merit the honours of their anceſtors, for altho' places and titles in the colonies are not hereditary, yet *cæteris paribus*, the deſcendants of ſuch as have done worthily have ſome claim to be diſtinguiſhed, "*nam ſi quis ab ineunte ætate* "*habet cauſam celebritatis et nominis, aut à patre acceptam* "——*in hunc oculi omnium conjiciuntur.*" *Cic. de Officiis.*

1692. were ſeized, and an expectation that the contagion would ſpread to all parts of the country, than from the number of perſons who were executed, more having been put to death in a ſingle county in England, in a ſhort ſpace of time, than have ſuffered in all New England from the firſt ſettlement until the preſent time. Fifteen years had paſſed, before we find any mention of witchcraft among the Engliſh coloniſts. The Indians were ſuppoſed to be worſhippers of the Devil, and their powows to be wizards. The firſt ſuſpicion of witchcraft, among the Engliſh, was about the year 1645; at Springfield, upon Connecticut river, ſeveral perſons were ſuppoſed to be under an evil hand, and among the reſt two of the miniſter's children.† Great pains were taken to prove the facts upon ſeveral perſons charged with the crime, but either the nature of the evidence was not ſatisfactory, or the fraud was ſuſpected, and ſo no perſon was convicted until the year 1650, when a poor wretch, Mary Oliver, probably weary of her life from the general reputation of being a witch, after long examination was brought to confeſſion of her guilt, but I do not find that ſhe was executed. Whilſt this enquiry was making, Margaret Jones was executed at Charleſtown;* and Mr. Hale mentions a woman at Dorcheſter, and another at Cambridge about the ſame time, who all at their death aſſerted their innocence. Soon after, Hugh Parſons was tried at Springfield and eſcaped death.‡ In 1655, Mrs. Hibbins, the aſſiſtants widow, was hanged at Boſton.§ In 1662, at Hartford in Connecticut (about 30 miles from Springfield, upon the ſame river) one Ann Cole, a young woman who lived next door to a Dutch family, and, no doubt, had learned ſomething of the language, was ſuppoſed to be poſſeſſed with dœmons, who ſometimes ſpake dutch and ſometimes engliſh, and ſometimes a language which no body underſtood, and who held a conference with one another. Several miniſters, who were preſent, took down the conference in writing, and the names

† Johnſon. * Vol. I. p. 150. ‡ Id. p. 179. § Id. p. 187.

names of several persons, mentioned in the course of the conference, as actors or bearing parts in it; particularly a woman, then in prison upon suspicion of witchcraft, one Greensmith, who upon examination confessed and appeared to be surprized at the discovery. She owned that she and the others named had been familiar with a dæmon, who had carnal knowledge of her,* and although she had not made a formal covenant, yet she had promised to be ready at his call, and was to have had a high frolick at Christmas, when the agreement was to have been signed. Upon this confession she was executed, and two more of the company were condemned at the same time.† In 1669, Susanna Martin, of Salisbury, was bound over to the court, upon suspicion of witchcraft, but escaped at that time.‡ 1692.

In 1671, Elizabeth Knap, another *ventriloqua*, alarmed the people of Groton in much the same manner as Ann Cole had done those of Hartford; but her dæmon was not so cunning, for instead of confining himself to old women, he rail'd at the good minister of the town and other persons of good character, and the people could not then be prevailed on to believe him, but believed the girl, when she confessed she had been deluded, and that the devil had tormented her in the shape of good persons; and so she escaped the punishment due to her fraud and imposture.

In 1673, Eunice Cole of Hampton was tried, and the jury found her not, legally, guilty, but that there were strong grounds to suspect her of familiarity with the devil.

* The Egyptians suppose a divine spirit may possibly approach a woman and produce in her the principles of generation; but on the other side, that it is impossible for a man to have any such intercourse with a goddess. It is however altogether irrational, to believe that any god or dæmon is capable of a sensual love for human bodily form or beauty. *Plutarch's life of Numa.*

† Jan. 26. 1662, three witches were condemned at Hartford. Feb. 24. After one of the witches was hanged, the maid was well. *Coffe the regicide's diary.*

‡ She suffered death in 1692.

1692. IN 1679, William Morſe's houſe, at Newbury, was troubled with the throwing of bricks, ſtones, &c. and a boy, of the family, was ſuppoſed to be bewitched, who accuſed one of the neighbours; and in 1682, the houſe of George Walton, a quaker, at Portſmouth, and another houſe at Salmon-falls (both in New-Hampſhire) were attacked after the ſame manner.

IN 1683, the dæmons removed to Connecticut river again, where one Deſborough's houſe was moleſted by an inviſible hand, and a fire kindled, no body knew how, which burnt up great part of his eſtate; and in 1684, Philip Smith, a judge of the court, a military officer and a repreſentative of the town of Hadley, upon the ſame river, (an hypocondriack perſon) fancied himſelf under an evil hand, and ſuſpected a woman, one of his neighbours, and languiſhed and pined away, and was generally ſuppoſed to be bewitched to death. While he lay ill, a number of briſk lads tried an experiment upon the old woman. Having dragged her out of her houſe, they hung her up until ſhe was near dead, let her down, rowled her ſome time in the ſnow, and at laſt buried her in it and there left her, but it happened that ſhe ſurvived and the melancholly man died.

NOTWITHSTANDING theſe frequent inſtances of ſuppoſed witchcrafts, none had ſuffered for near thirty years, in the Maſſachuſets colony. The execution of the aſſiſtant or councellor's widow in 1655, was diſapproved of by many principal perſons, and it is not unlikely that her death ſaved the lives of many other inferior perſons. But in 1685, a very circumſtancial account of all or moſt of the caſes I have mentioned, was publiſhed, and many arguments were brought to convince the country that they were no deluſions nor impoſtures, but the effects of a familiarity between the devil and ſuch as he found fit for his inſtruments; and in 1687 or 1688, began a more alarming inſtance than any which had preceded it. Four of the children of John Goodwin, a grave man and a good liver at the north part of Boſton

Boſton were generally believed to be bewitched. I have 1692.
often heard perſons, who were of the neighbourhood, ſpeak of the great conſternation it occaſioned. The children were all remarkable for ingenuity of temper, had been religiouſly educated and were thought to be without guile. The eldeſt was a girl of thirteen or fourteen years. She had charged a laundreſs with taking away ſome of the family linnen. The mother of the laundreſs was one of the wild Iriſh, of bad character, and gave the girl harſh language; ſoon after which ſhe fell into fits, which were ſaid to have ſomething diabolical in them. One of her ſiſters and two brothers followed her example and, it is ſaid, were tormented in the ſame part of their bodies at the ſame time, although kept in ſeparate apartments, and ignorant of one another's complaints. One or two things were ſaid to be very remarkable; all their complaints were in the day time, and they ſlept comfortably all night; they were ſtruck dead at the ſight of the aſſembly's catechiſm, Cotton's milk for babes, and ſome other good books, but could read in Oxford jeſts, popiſh and quaker books, and the common prayer, without any difficulty. Is it poſſible the mind of man ſhould be capable of ſuch ſtrong prejudices as that a ſuſpicion of fraud ſhould not immediately ariſe? But attachments to modes and forms in religion had ſuch force that ſome of theſe circumſtances ſeem rather to have confirmed the credit of the children. Sometimes they would be deaf, then dumb, then blind; and ſometimes all theſe diſorders together would come upon them. Their tongues would be drawn down their throats, then pulled out upon their chins. Their jaws, necks, ſhoulders, elbows and all their joints would appear to be diſlocated, and they would make moſt piteous outcries of burnings, of being cut with knives, beat, &c. and the marks of wounds were afterwards to be ſeen. The miniſters of Boſton aud Charleſtown kept a day of faſting and prayer at the troubled houſe; after which, the youngeſt child made no more complaints. The others perſevered, and

1692. the magiſtrates then interpoſed, and the old woman was apprehended, but upon examination would neither confeſs nor deny, and appeared to be diſordered in her ſenſes. Upon the report of phyſicians that ſhe was *compos mentis*, ſhe was executed, declaring at her death the children ſhould not be relieved. The eldeſt, after this, was taken into a miniſter's family, where, at firſt, ſhe behaved orderly, but, after ſome time, ſuddenly fell into her fits. The account of her affliction is in print; ſome things are mentioned as extraordinary, which tumblers are every day taught to perform; others ſeem more than natural, but it was a time of great credulity. The children returned to their ordinary behaviour, lived to adult age, made profeſſion of religion, and the affliction they had been under they publickly declared to be one motive to it. One of them I knew many years after. She had the character of a very ſober virtuous woman, and never made any acknowledgment of fraud in this tranſaction. The printed account was publiſhed with a preface by Mr. Baxter, who ſays, '*the evidence is ſo convincing, that he muſt be a very obdurate Sadducee who will not believe.*'* It obtained credit ſufficient, together

* In the year 1720, at Littleton in the county of Middleſex, a family was ſuppoſed to be bewitched. One J. B. had three daughters, of 11, 9, and 5 years of age. The eldeſt was a forward girl, and having read and heard many ſtrange ſtories, would ſurprize the company where ſhe happened to be, with her manner of relating them. Pleaſed with the applauſe, ſhe went from ſtories ſhe had heard, to ſome of her own framing, and ſo on to dreams and viſions, and attained the art of ſwooning and of being to all appearance for ſometime breathleſs. Upon her revival, ſhe would tell of ſtrange things ſhe had met with in this and other worlds. When ſhe met with the words, *God, Chriſt, the Holy Ghoſt*, in the bible, ſhe would drop down with ſcarce any ſigns of life in her. Strange noiſes were often heard in and upon the houſe; ſtones came down the chimney and did great miſchief. She complained of the ſpectre of Mrs. D——y, a woman living in the town; and, once, the mother of the girl ſtruck at the place where the ſaid D——y was, and the girl ſaid, *you have ſtruck her on the belly*, and upon enquiry it

together with other preparatives, to diſpoſe the whole country to be eaſily impoſed upon by the more extenſive and more tragical ſcene, which was preſently after acted at Salem and other parts of the county of Eſſex. Not many years before, Glanvil publiſhed his witch ſtories in England; Perkins and other nonconformiſts were earlier; 1692.

it was found, that D——y complained of a hurt in her belly about that time. Another time, the mother ſtruck at a place, where the girl ſaid there was a yellow bird, and ſhe told her mother ſhe had hit the ſide of it's head; and it again appeared that D——y's head was hurt about the ſame time. It was common to find her in ponds of water, crying out ſhe ſhould be drowned; ſometimes upon the top of the houſe, and ſometimes upon the tops of trees, where ſhe pretended ſhe had flown; and ſome fancied they had ſeen her in the air. There were often the marks of blows and pinches upon her, which were ſuppoſed to come from an inviſible hand.

The ſecond daughter, after her ſiſter had ſucceeded ſo well, imitated her in complaints of D——y, and out did her in feats of running upon the barn, climbing trees, &c. and, what was moſt ſurprizing, the youngeſt attempted the ſame feats, and in ſome inſtances went beyond her ſiſters. The neighbours agreed they were under an evil hand, and it was pronounced a piece of witchcraft, as certain as that there ever had been any at Salem; and no great pains were taken to detect the impoſture. Phyſicians had been at firſt employed, but to no purpoſe; and afterwards miniſters were called to pray over them, but without ſucceſs. At length D——y, not long after the ſuppoſed blows, took to her bed, and after ſometime died, and the two eldeſt girls ceaſed complaining; the youngeſt held out longer, but all perſiſted in it, that there had been no fraud. The eldeſt, not having been baptized, and being come to adult age, deſired and obtained baptiſm, and the miniſter then examined her upon her conduct in the affair, and ſhe perſiſted in her declarations of innocency. In 1728, having removed to Medford, ſhe offered to join the church there, and gave a ſatisfactory account of herſelf to the miniſter of the town; but he knew nothing of the ſhare ſhe had in this tranſaction. The Lord's day before ſhe was to be admitted, he happened to preach from this text, "*He that ſpeaketh lies ſhall not eſcape.*" The woman ſuppoſed the ſermon to be intended for her, and went to the miniſter, who told her no body had made any objection againſt her; but being determined to confeſs her guilt, ſhe diſcloſed the fraud of herſelf and her ſiſters, and deſired to make

1692. but the great authority was that of Sir Matthew Hale, revered in New-England, not only for his knowledge in the law, but for his gravity and piety. The trial of the witches in Suffolk was publiſhed in 1684. All theſe books were in New-England, and the conformity between the behavior of Goodwin's children and moſt of the ſuppoſed bewitched at Salem, and the behavior of thoſe in England, is ſo exact, as to leave no room to doubt the ſtories had been read by the New-England perſons themſelves, or had been told to them by others who had read them. Indeed, this conformity, inſtead of giving ſuſpicion, was urged in confirmation of the truth of both; the old England dæmons and the new being ſo much alike. The court juſtified themſelves from books of law, and the authorities of Keble, Dalton and other lawyers, then of the firſt character, who lay down rules of conviction, as abſurd and dangerous as any which were practiſed in New-England. The trial of Richard Hatheway, the impoſtor, before Lord Chief Juſtice Holt, was ten or twelve years after. This was a great diſcouragement to proſecutions in England for witchcraft, but an effectual ſtop was not put to them, until the act of parliament in the reign of his late Majeſty.† Even this

make a publick acknowledgment, in the face of the church; and accordingly did ſo. The two ſiſters, ſeeing her pitied, had become actors alſo with her, without being moved to it by her, but when ſhe ſaw them follow her, they all joined in the ſecret and acted in concert. They had no particular ſpite againſt D——y; but it was neceſſary to accuſe ſomebody, and the eldeſt having pitched upon her, the reſt followed. The woman's complaints, about the ſame time the girl pretended ſhe was ſtruck, proceeded from other cauſes, which were not then properly enquired into. Once, at leaſt, they were in great danger of being detected in their tricks; but the grounds of ſuſpicion were overlooked, through the indulgence and credulity of their parents. *M. S. of the Rev. Mr. Turell, miniſter of Medford.*

† I remember to have heard a gentleman, who in other reſpects was very ſenſible, expreſs his ſurprize upon the firſt news of this act. The parliament, he ſaid, had in effect declared that there were no evil ſpirits, he was afraid they would declare by another act that there are no good ones. From

this has not wholly cured the common people, and we hear of old women ducked and cruelly murdered within theſe laſt twenty years. Reproach, then, for hanging witches, although it has been often caſt upon the people of New-England, by thoſe of Old, yet it muſt have been done with an ill grace. The people of New-England were of a grave caſt, and had long been diſpoſed to give a ſerious ſolemn conſtruction even to common events in providence; but in Old England, the reign of Charles the ſecond was as remarkable for gaiety as any whatſoever, and for ſcepticiſm and infidelity, as any which preceded it. 1692.

Sir William Phips, the governor, upon his arrival, fell in with the opinion prevailing. Mr. Stoughton, the lieutenant-governor, upon whoſe judgment great ſtreſs was laid, had taken up this notion, that although the devil might appear in the ſhape of a guilty perſon, yet he would never be permitted to aſſume the ſhape of an innocent perſon.‡ This opinion, at firſt, was generally

 received.

From 1694 to 1701, there were 11 perſons tried for witches before Lord chief juſtice Holt, all of whom were acquitted. In Scotland ſeven were executed for witches in 1697, upon the teſtimony of one girl about 11 years old.

‡ 'A gentleman of more than ordinary underſtanding, learning and experience, deſired me to write to N. England about your trials and convictions of witches, not being ſatisfied with the evidence upon which ſome who have been executed were found guilty; he told me that in the time of the great reformation parliament, a certain perſon or perſons had a commiſſion to diſcover and proſecute witches. Upon theſe proſecutions many were executed, in at leaſt one county in England, until, at length, a gentleman of eſtate and of great character for piety was accuſed, which put an end to the commiſſion, and the judges, upon a re-hearing, reverſed many of the judgments; but many lives had been taken away. All that I ſpeak with, much wonder that any man, much leſs a man of ſuch abilities, learning and experience as Mr. Stoughton, ſhould take up a perſuaſion, that the devil cannot aſſume the likeneſs of an innocent, to afflict another perſon. In my opinion, it is a perſuaſion utterly deſtitute of any ſolid reaſon to render it ſo much as

1692. received. Some of the moſt religious women who were accuſed, when they ſaw the appearance of diſtreſs and torture in their accuſers, and heard their ſolemn declarations, that they ſaw the ſhapes or ſpectres of the accuſed afflicting them, perſuaded themſelves they were witches, and that the devil, ſome how or other, although they could not remember how or when, had taken poſſeſſion of their evil hearts and obtained ſome ſort of aſſent to his afflicting in their ſhapes; and thereupon they thought they might be juſtified in confeſſing themſelves guilty.

IT ſeems, at this day, with ſome people, perhaps but few, to be the queſtion whether the accuſed or the afflicted were under a preternatural or diabolical poſſeſſion, rather than whether the afflicted were under bodily diſtempers, or altogether guilty of fraud and impoſture. As many of the original examinations have fallen into my hands, it may be of ſervice to repreſent this affair in a more full and impartial light than it has yet appeared to the world.

IN

as probable, and beſides, contradictory to many inſtances of facts in hiſtory. If you think good, you may acquaint Mr. Stoughton and the other judges with what I write.' *Letter from London to Inc. Mather, Jan.* 9. 1692-3.

I ſuppoſe the long parliament muſt be intended by the great reformation parliament, for in 1644, 1645 and 1646, one Matthew Hopkins went from place to place to find out witches. Mr. Baxter ſays a great number were hanged by his diſcovery, and that Mr. Calamy went along with the judges to hear the confeſſions, and to ſee that there was no fraud or wrong done. Hopkins ſearched for teats, ſet ſome upon ſtools or tables croſs-legged, and kept them 24 hours without meat or drink, within which time it was ſaid their imps would come and ſuck; others he tried by ſwimming them, and at length raiſed the indignation of certain gentlemen, who cauſed him to be ſeized, and his hands and feet being tied, to be thrown into the water, where fortunately for him he was proved to be a witch or wizard himſelf, by his ſwimming or floating upon the water. The country was cleared of him, and ſome lamented that the experiment had not been made ſooner.

In February 1691-2, a daughter and a neice of Mr. Parris, the miniſter of Salem* village, girls of ten or eleven years of age, and two other girls in the neighbourhood, made the ſame ſort of complaints as Goodwin's children had made, two or three years before. The phyſicians, having no other way of accounting for the diſorder, pronounced them bewitched. An Indian woman, who was brought into the country from New Spain, and then lived with Mr. Parris, tried ſome experiments which ſhe pretended to be uſed to, in her own country, in order to find out the witch. This coming to the children's knowledge, they cried out upon the poor Indian, as appearing to them, pinching, pricking and tormenting them; and fell into fits. Tituba, the Indian, acknowledged that ſhe had learned how to find out a witch, but denied that ſhe was one herſelf. Several private faſts were kept at the miniſter's houſe, and ſeveral, more public, by the whole village, and then a general faſt through the colony, to ſeek to God to rebuke Satan &c. So much notice taken of the children, together with the pity and compaſſion, expreſſed by thoſe who viſited them, not only tended to confirm them in their deſign but to draw others into the like. Accordingly, the number of the complainants ſoon increaſed, and among them there were two or three women, and ſome girls old enough for witneſſes. Theſe had their fits too, and, when in them, cried out, not only againſt Tituba, but againſt Sarah Oſburn, a melancholly diſtracted old woman, and 1692.

* Douglaſs in his ſummary ſays, "In Salem and its neighbourhood, enthuſiaſm and other nervous diſorders ſeem to be endemial; it was the ſeat of the New-England witchcraft anno 1692." I queſtion whether he had any other foundation for this remark than meerly this ſcene of witchcraft, which muſt be conſidered as the diſtemper of the country in general, rather than of any particular town or county, and had Mr. Parris's family lived in any other part of the province, perhaps the neighbourhood would have been as much infected; and no impreſſion ought to be made to the diſadvantage of a town the moſt ancient, and at this day the ſecond in rank within the province, and upon other accounts juſtly reſpectable.

1692. and Sarah Good, another old woman who was bed-rid. Tituba, at length, confeſſed herſelf a witch, and that the two old women were her confederates; and they were all committed to priſon; and Tituba, upon ſearch, was found to have ſcars upon her back which were called the devil's mark, but might as well have been ſuppoſed thoſe of her Spaniſh maſter. This commitment was on the 1ſt of March. About three weeks after, two other women, of good characters and church members, Corey and Nurſe, were complained of and brought upon their examination; when theſe children fell into fits, and the mother of one of them, and wife of Thomas Putman, joined with the children and complained of Nurſe as tormenting her; and made moſt terrible ſhrieks, to the amazement of all the neighbourhood. The old women denied every thing; but were ſent to priſon; and ſuch was the infatuation, that a child of Sarah Good, about four or five years old, was committed alſo, being charged with biting ſome of the afflicted who ſhewed the print of ſmall teeth on their arms. On April 3d Mr. Parris took for his text, "*Have not I choſen you twelve and one of you is a devil.*" Sarah Cloyſe, ſuppoſing it to be occaſioned by Nurſe's caſe, who was her ſiſter, went out of meeting. She was, preſently after, complained of for a witch, examined and committed. Elizabeth Procter was charged about the ſame time: Her huſband, as every good huſband would have done, accompanied her to her examination, but it coſt the poor man his life. Some of the afflicted cried out upon him alſo, and they were both committed to priſon.

INSTEAD of ſuſpecting and ſifting the witneſſes, and ſuffering them to be croſs examined, the authority, to ſay no more, were imprudent in making uſe of leading queſtions, and thereby putting words into their mouths or ſuffering others to do it. Mr. Parris was over officious; moſt of the examinations, although in the preſence of one or more of the magiſtrates, were taken by him. The following examinations, of ſeveral of the accuſed, may ſerve as ſpecimens they being generally made in the ſame manner.

"At

"At a court held at Salem 11th April 1692, by the honoured Thomas Danforth, Deputy Governor. Q. John ;† who hurt you? A. Goody Procter firſt, and then Goody Cloyſe. Q. What did ſhe do to you? A. She brought the book to me. Q. John! tell the truth, who hurts you? Have you been hurt? A. The firſt, was a gentlewoman I ſaw. Q. Who next? A. Goody Cloyſe. Q. But who hurt you next? A. Goody Procter. Q. What did ſhe do to you? A. She choaked me, and brought the book. Q. How oft did ſhe come to torment you? A. A good many times, ſhe and Goody Cloyſe. Q. Do they come to you in the night as well as the day? A. They come moſt in the day. Q. Who? A. Goody Cloyſe and GoodyProcter. Q. Where did ſhe take hold of you? A. Upon my throat, to ſtop my breath. Q. Do you know Goody Cloyſe and Goody Procter? A. Yes, here is Goody Cloyſe. (Cloyſe) when did I hurt thee? A. A great many times. (Cloyſe) Oh! you are a grievous liar. Q. What did this Goody Cloyſe do to you? A. She pinched and bit me till the blood came. Q. How long ſince this woman came and hurt you? A. Yeſterday, at meeting. Q. At any time before? A. Yes a great many times. Q. Mary Walcot! who hurts you? A. Goody Cloyſe. Q. What did ſhe do to you? A. She hurt me. Q. Did ſhe bring the book? A. Yes. Q. What was you to do with it? A. To touch it, and be well.—Then ſhe fell into a fit. Q. Doth ſhe come alone? A. Sometimes alone, and ſometimes in company with Goody Nurſe and Goody Corey, and a great many I do not know.—Then ſhe fell into a fit again.—Q. Abigail Williams! did you ſee a company at Mr. Parris's houſe eat and drink? A. Yes Sir, that was their ſacrament. Q. How many were there? A. About forty, and Goody Cloyſe and Goody Good were their deacons. Q. What was it? A. They ſaid it was our blood, and they had it twice that day. Q. Mary Walcot! 1692.

† This was Tituba's huſband, who ſeems to have been a cunning fellow, and to avoid being accuſed joined with the afflicted.

1692. and Sarah Good, another old woman who was bed-rid. Tituba, at length, confeſſed herſelf a witch, and that the two old women were her confederates; and they were all committed to priſon; and Tituba, upon ſearch, was found to have ſcars upon her back which were called the devil's mark, but might as well have been ſuppoſed thoſe of her Spaniſh maſter. This commitment was on the 1ſt of March. About three weeks after, two other women, of good characters and church members, Corey and Nurſe, were complained of and brought upon their examination; when theſe children fell into fits, and the mother of one of them, and wife of Thomas Putman, joined with the children and complained of Nurſe as tormenting her; and made moſt terrible ſhrieks, to the amazement of all the neighbourhood. The old women denied every thing; but were ſent to priſon; and ſuch was the infatuation, that a child of Sarah Good, about four or five years old, was committed alſo, being charged with biting ſome of the afflicted who ſhewed the print of ſmall teeth on their arms. On April 3d Mr. Parris took for his text, "*Have not I choſen you twelve and one of you is a devil.*" Sarah Cloyſe, ſuppoſing it to be occaſioned by Nurſe's caſe, who was her ſiſter, went out of meeting. She was, preſently after, complained of for a witch, examined and committed. Elizabeth Procter was charged about the ſame time: Her huſband, as every good huſband would have done, accompanied her to her examination, but it coſt the poor man his life. Some of the afflicted cried out upon him alſo, and they were both committed to priſon.

INSTEAD of ſuſpecting and ſifting the witneſſes, and ſuffering them to be croſs examined, the authority, to ſay no more, were imprudent in making uſe of leading queſtions, and thereby putting words into their mouths or ſuffering others to do it. Mr. Parris was over officious; moſt of the examinations, although in the preſence of one or more of the magiſtrates, were taken by him. The following examinations, of ſeveral of the accuſed, may ſerve as ſpecimens they being generally made in the ſame manner.

"At

"At a court held at Salem 11th April 1692, by the honoured Thomas Danforth, Deputy Governor. Q. John ;† who hurt you? A. Goody Procter firſt, and then Goody Cloyſe. Q. What did ſhe do to you? A. She brought the book to me. Q. John! tell the truth, who hurts you? Have you been hurt? A. The firſt, was a gentlewoman I ſaw. Q. Who next? A. Goody Cloyſe. Q. But who hurt you next? A. Goody Procter. Q. What did ſhe do to you? A. She choaked me, and brought the book. Q. How oft did ſhe come to torment you? A. A good many times, ſhe and Goody Cloyſe. Q. Do they come to you in the night as well as the day? A. They come moſt in the day. Q. Who? A. Goody Cloyſe and GoodyProcter. Q. Where did ſhe take hold of you? A. Upon my throat, to ſtop my breath. Q. Do you know Goody Cloyſe and Goody Procter? A. Yes, here is Goody Cloyſe. (Cloyſe) when did I hurt thee? A. A great many times. (Cloyſe) Oh! you are a grievous liar. Q. What did this Goody Cloyſe do to you? A. She pinched and bit me till the blood came. Q. How long ſince this woman came and hurt you? A. Yeſterday, at meeting. Q. At any time before? A. Yes a great many times. Q. Mary Walcot! who hurts you? A. Goody Cloyſe. Q. What did ſhe do to you? A. She hurt me. Q. Did ſhe bring the book? A. Yes. Q. What was you to do with it? A. To touch it, and be well.—Then ſhe fell into a fit. Q. Doth ſhe come alone? A. Sometimes alone, and ſometimes in company with Goody Nurſe and Goody Corey, and a great many I do not know.—Then ſhe fell into a fit again.—Q. Abigail Williams! did you ſee a company at Mr. Parris's houſe eat and drink? A. Yes Sir, that was their ſacrament. Q. How many were there? A. About forty, and Goody Cloyſe and Goody Good were their deacons. Q. What was it? A. They ſaid it was our blood, and they had it twice that day. Q. Mary Walcot! 1692.

† This was Tituba's huſband, who ſeems to have been a cunning fellow, and to avoid being accuſed joined with the afflicted.

1692. Walcot! have you ſeen a white man? Yes Sir, a great many times. Q. What ſort of man was he? A. A fine grave man, and when he came, he made all the witches to tremble.——Abigail Williams confirmed the ſame, and that they had ſuch a ſight at Deacon Ingerſoll's. Q. Who was at Deacon Ingerſoll's then? A. Goody Cloyſe, Goody Nurſe, Goody Corey, and Goody Good. ——Then Sarah Cloyſe aſked for water, and ſat down as one ſeized with a dying fainting fit; and ſeveral of the afflicted fell into fits, and ſome of them cried out, Oh! her ſpirit is gone to priſon to her ſiſter Nurſe.—— Q. Elizabeth Procter! you underſtand whereof you are charged, viz. to be guilty of ſundry acts of witchcraft; what ſay you to it? Speak the truth, and ſo you that are afflicted, you muſt ſpeak the truth, as you will anſwer it before God another day. Mary Walcot! doth this woman hurt you? A. I never ſaw her ſo as to be hurt by her. Q. Mary Lewis! does ſhe hurt you?—Her mouth was ſtopped.—Q. Ann Putman! does ſhe hurt you?—She could not ſpeak.—Q. Abigail Williams! does ſhe hurt you?—Her hand was thruſt in her own mouth.—Q. John! does ſhe hurt you? A. This is the woman that came in her ſhift and choaked me. Q. Did ſhe ever bring the book? A. Yes Sir. Q. What to do? A. To write. Q. What, this woman? A. Yes Sir. Q. Are you ſure of it? A. Yes Sir.——Again, Abigail Williams and Ann Putman were ſpoke to by the court, but neither of them could make any anſwer, by reaſon of dumbneſs or other fits. Q. What do you ſay Goody Proctor to theſe things? A. I take God in heaven to be my witneſs, that I know nothing of it, no more than the child unborn. Q. Ann Putman! doth this woman hurt you. A. Yes Sir, a great many times, —Then the accuſed looked upon them and they fell into fits. Q. She does not bring the book to you, does ſhe? A. Yes Sir, often, and ſaith ſhe hath made her maid ſet her hand to it. Q. Abigail Williams! does this woman hurt you? A. Yes Sir, often. Q. Does ſhe bring

bring the book to you? A. Yes. Q. What would she have you do with it? A. To write in it and I shall be well.——Did not you, said Abigail, tell me, that your maid had written? (Procter) Dear Child, it is not so. There is another judgment, dear child.—Then Abigail and Ann had fits.—By and by they cried out, look you there is Goody Procter upon the beam.—By and by, both of them cried out of Goodman Procter himself, and said he was a wizard.—Immediately, many, if not all of the bewitched, had grievous fits.—Q. Ann Putman! who hurt you? A. Goodman Procter and his wife too.—Afterwards, some of the afflicted cried, there is Procter going to take up Mrs. Pope's feet.—And her feet were immediately taken up.—Q. What do you say Goodman Procter to these things? A. I know not. I am innocent.——Abigail Williams cried out, there is Goodman Procter going to Mrs. Pope, and immediately, said Pope fell into a fit.——You see the Devil will deceive you; the children could see what you was going to do before the woman was hurt. I would advise you to repentance, for the devil is bringing you out.—Abigail Williams cried out again, there is Goodman Procter going to hurt Goody Bibber; and immediately Goody Bibber fell into a fit. There was the like of Mary Walcot, and divers others.——Benjamin Gould gave in his testimony, that he had seen Goodman Corey and his wife, Procter and his wife, Goody Cloyse, Goody Nurse, and Goody Griggs in his chamber last thursday night.——Elizabeth Hubbard was in a trance during the whole examination.—During the examination of Elizabeth Procter, Abigail Williams and Ann Putman, both, made offer to strike at said Procter; but when Abigail's hand came near, it opened, whereas it was made up into a fist before, and came down exceeding lightly, as it drew near to said Procter, and at length with open and extended fingers, touched Procter's hood very lightly. Immediately Abigail cried out, her fingers, her fingers, her fingers burned, and Ann Putman took on most grievously, of her head, and sunk down." 1692.

SALEM.

1692. "SALEM, April 11th, 1692. Mr. Samuel Parris was desired by the honorable Thomas Danforth, deputy-governor, and the council, to take in writing the aforesaid examinations, and accordingly took and delivered them in; and upon hearing the same, and seeing what was then seen, together with the charge of the afflicted persons, were by the advice of the council all committed by us,

John Hawthorne,
John Corwin, } Assistants."

No wonder the whole country was in a consternation, when persons, of sober lives and unblemished characters, were committed to prison upon such sort of evidence. No body was safe. The most effectual way to prevent an accusation, was to become an accuser; and accordingly the number of the afflicted increased every day, and the number of the accused in proportion, who in general persisted in their innocency; but, being strongly urged to give glory to God by their confession, and intimation being given that this was the only way to save their lives, and their friends urging them to it, some were brought to own their guilt. The first confession upon the files, is of Deliverance Hobbs, May 11th, 1692; being in prison. She owned every thing she was required to do. The confessions multiplied the witches; new companions were always mentioned, who were immediately sent for and examined. Thus more than an hundred women, many of them of fair characters and of the most reputable families, in the towns of Salem, Beverly, Andover, Billerica, &c. were apprehended, examined and, generally, committed to prison. The confessions being much of the same tenor, one or two may serve for specimens.

"THE

"THE examination and confeſſion (8. Sept. 92.) of Mary Oſgood, wife of Captain Oſgood of Andover, taken before John Hawthorne and other their Majeſties juſtices. 1692.

SHE confeſſes, that about 11 years ago, when ſhe was in a melancholly ſtate and condition, ſhe uſed to walk abroad in her orchard; and upon a certain time, ſhe ſaw the appearance of a cat, at the end of the houſe, which yet ſhe thought was a real cat. However, at that time, it diverted her from praying to God, and inſtead thereof ſhe prayed to the devil; about which time ſhe made a covenant with the devil, who, as a black man, came to her and preſented her a book, upon which ſhe laid her finger and that left a red ſpot: And that upon her ſigning, the devil told her he was her God, and that ſhe ſhould ſerve and worſhip him, and, ſhe believes, ſhe conſented to it. She ſays further, that about two years agone, ſhe was carried through the air, in company with deacon Frye's wife, Ebenezer Baker's wife and Goody Tyler, to five mile pond, where ſhe was baptized by the devil, who dipped her face in the water and made her renounce her former baptiſm, and told her ſhe muſt be his, ſoul and body, forever, and that ſhe muſt ſerve him, which ſhe promiſed to do. She ſays, the renouncing her firſt baptiſm was after her dipping, and that ſhe was tranſported back again through the air, in company with the forenamed perſons, in the ſame manner as ſhe went, and believes they were carried upon a pole. Q. How many perſons were upon the pole? A. As I ſaid before, viz. four perſons and no more but whom ſhe had named above.—She confeſſes ſhe has afflicted three perſons, John Sawdy, Martha Sprague and Roſe Foſter, and that ſhe did it by pinching her bed cloaths, and giving conſent the devil ſhould do it in her ſhape, and that the devil could not do it without her conſent.—She confeſſes the afflicting perſons in the court, by the glance of her eye. She ſays, as ſhe was coming down to Salem to be examined, ſhe and the reſt of the company with her ſtopped at Mr. Phillips's to refreſh themſelves, and the afflicted

perſons

1692. perſons, being behind them upon the road, came up juſt as ſhe was mounting again and were then afflicted, and cried out upon her, ſo that ſhe was forced to ſtay until they were all paſt, and ſaid ſhe only looked that way towards them. Q. Do you know the devil can take the ſhape of an innocent perſon and afflict? A. I believe he cannot. Q. Who taught you this way of witchcraft? A. Satan, and that he promiſed her abundance of ſatisfaction and quietneſs in her future ſtate, but never performed any thing; and that ſhe has lived more miſerably and more diſcontented ſince, than ever before. She confeſſes further, that ſhe herſelf, in company with Goody Parker, Goody Tyler and Goody Dean, had a meeting at Moſes Tyler's houſe, laſt monday night, to afflict, and that ſhe and Goody Dean carried the ſhape of Mr. Dean, the miniſter, between them, to make perſons believe that Mr. Dean afflicted. Q. What hindered you from accompliſhing what you intended? A. The Lord would not ſuffer it ſo to be, that the devil ſhould afflict in an innocent perſon's ſhape. Q. Have you been at any other witch meetings? A. I know nothing thereof, as I ſhall anſwer in the preſence of God and his people; but ſaid, that the black man ſtood before her, and told her, that what ſhe had confeſſed was a lie; notwithſtanding, ſhe ſaid that what ſhe had confeſſed was true, and thereto put her hand. Her huſband being preſent was aſked, if he judged his wife to be any way diſcompoſed. He anſwered, that having lived with her ſo long, he doth not judge her to be any ways diſcompoſed, but has cauſe to believe what ſhe has ſaid is true.——When Miſtreſs Oſgood was firſt called, ſhe afflicted Martha Sprague and Roſe Foſter, by the glance of her eyes, and recovered them out of their fits by the touch of her hand. Mary Lacey and Betty Johnſon and Hannah Poſt ſaw Miſtreſs Oſgood afflicting Sprague and Foſter.——The ſaid Hannah Poſt and Mary Lacey and Betty Johnſon, jun. and Roſe Foſter and Mary Richardſon were afflicted by Miſtreſs Oſgood, in the time of their examination, and recovered by her touching of their hands.

I underwitten, being appointed by authority, to take this examination, do teſtify upon oath, taken in court, that this is a true copy of the ſubſtance of it, to the beſt of my knowledge, 5 Jan. 1692-3. The within Mary Oſgood was examined before their Majeſties juſtices of the peace in Salem. 1692.

Atteſt. John Higginſon, Juſt. Pac."

A miſerable negro woman, charged by ſome of the girls with afflicting them, confeſſed, but was cunning enough to bring the greateſt ſhare of the guilt upon her miſtreſs.

"SALEM, Monday July 4. 1692. The examination of Candy, a negro woman, before Bartholomew Gedney and John Hawthorne Eſq'rs. Mr. Nicholas Noyes alſo preſent.

"Q. Candy! are you a witch? A. Candy no witch in her country. Candy's mother no witch. Candy no witch, Barbados. This country, miſtreſs give Candy witch. Q. Did your miſtreſs make you a witch in this country? A. Yes, in this country miſtreſs give Candy witch. Q. What did your miſtreſs do to make you a witch? A. Miſtreſs bring book and pen and ink, make Candy write in it. Q. What did you write in it? —— She took a pen and ink and upon a book or paper made a mark. Q. How did you afflict or hurt theſe folks, where are the puppets you did it with?——She aſked to go out of the room and ſhe would ſhew or tell; upon which ſhe had liberty, one going with her, and ſhe preſently brought in two clouts, one with two knots tied in it, the other one; which being ſeen by Mary Warren, Deliverance Hobbs and Abigail Hobbs, they were greatly affrighted and fell into violent fits, and all of them ſaid that the black man and Mrs. Hawkes and the negro ſtood by the puppets or rags and pinched them, and then they were afflicted, and when the knots were untied yet they continued as aforeſaid. A bit of

1692. one of the rags being ſet on fire, the afflicted all ſaid they were burned, and cried out dreadfully. The rags being put into water, two of the forenamed perſons were in dreadful fits almoſt choaked, and the other was violently running down to the river, but was ſtopped.

Atteſt. John Hawthorne, Juſt. Peace."

MRS. Hawkes, the miſtreſs, had no other way to ſave her life but to confeſs alſo.

MR. Hale, the miniſter of Beverly, who has the character of an impartial relator, acknowledges that the confeſſors, generally, went off from their confeſſions; ſome ſaying they remembered nothing of what they had ſaid, others that they had belied themſelves, &c. but he thinks, if the times had been calm, the condition of the confeſſors might have called for a *melius inquirendum*; and thinks it remarkable that children and grandchildren ſhould confirm their parents and grand-parents confeſſion, inſtancing in the caſe of Goody Foſter, her daughter Mary Lacey, and grand-daughter Mary Lacey, jun. and that other children ſhould accuſe their own parents, as in the caſe of Richard Carrier, a lad of 18 years of age. Theſe confeſſions are preſerved, and a few extracts from them will ſhew they were forced from them, through fear of loſing their lives if they refuſed, and their fear, in ſome, was ſo great as to diſorder their brains, and they ſcarce knew what they ſaid.

"21ſt July 1692. Before Major Gidney, Mr. Hawthorne, Mr. Corwin and Capt. Higginſon.

"Q. Goody Foſter! you remember we have three times ſpoken with you, and do you now remember what you then confeſſed to us?—You have been engaged in very great wickedneſs, and ſome have been left to hardneſs of heart to deny; but it ſeems that God will give you more favour than others, inaſmuch as you relent,

relent. But your daughter here hath confeſſed ſome things that you did not tell us of. Your daughter was with you and Goody Carrier, when you did ride upon the ſtick. A. I did not know it. Q. How long have you known your daughter to be engaged? A. I cannot tell, nor have I any knowledge of it at all. Q. Did you ſee your daughter at the meeting? A. No. Q. Your daughter ſaid ſhe was at the witches meeting, and that you yourſelf ſtood at a diſtance off and did not partake at that meeting; and you ſaid ſo alſo; give us a relation from the beginning until now. A. I know none of their names that were there, but only Goody Carrier. Q. Would you know their faces if you ſaw them? A. I cannot tell. Q. Were there not two companies in the field at the ſame time? A. I remember no more.——Mary Warren, one of the afflicted, ſaid that Goody Carrier's ſhape told her, that Goody Foſter had made her daughter a witch.——Q. Do not you acknowledge that you did ſo about 13 years ago? A. No, and I know no more of my daughter's being a witch than what day I ſhall die upon. Q. Are you willing your daughter ſhould make a full and free confeſſion? A. Yes. Q. Are you willing to do ſo too? A. Yes. Q. You cannot expect peace of conſcience without a free confeſſion. A. If I knew any thing more, I would ſpeak it to the utmoſt.——Goody Lacey, the daughter, called in, began thus; Oh! mother! how do you do? We have left Chriſt, and the devil hath gat hold of us. How ſhall I get rid of this evil one? I deſire God to break my rocky heart that I may get the victory this time. Q. Goody Foſter! you cannot get rid of this ſnare, your heart and mouth is not open. A. I did not ſee the devil, I was praying to the Lord. Q. What Lord? A. To God. Q. What God do witches pray to? A. I cannot tell, the Lord help me. Q. Goody Lacey! had you no diſcourſe with your mother when riding? A. No, I think I had not a word. 1692.

1692. Who rid foremoſt on that ſtick to the village? A. I ſuppoſe my mother.—— Goody Foſter ſaid, that Goody Carrier was foremoſt——Q. Goody Lacey! how many years ago ſince they were baptized? A. Three or four years ago, I ſuppoſe. Q. Who baptized them? A. The old ſerpent. Q. How did he do it? A. He dipped their heads in the water, ſaying, they were his and that he had power over them. Q. Where was this? A. At Fall's river. Q. How many were baptized that day? A. Some of the chief; I think there were ſix baptized. Q. Name them. A. I think they were of the higher powers. †——— Mary Lacey, the grand-daughter, was brought in, and Mary Warren fell into a violent fit. Q. How dare you come in here, and bring the devil with you, to afflict theſe poor creatures?——Lacey laid her hand on Warren's arm, and ſhe recovered from her fit. —Q. You are here accuſed of practiſing witchcraft upon Goody Ballard, which way do you do it? A. I cannot tell. Where is my mother that made me a witch, and I knew it not? Q. Can you look upon that maid Mary Warren, and not hurt her? Look upon her in a friendly way.—She, trying ſo to do, ſtruck her down with her eyes. Q. Do you acknowledge now you are a witch? A. Yes. Q. How long have you been a witch? A. Not above a week. Q. Did the devil appear to you? A. Yes. Q. In what ſhape? A. In the ſhape of a horſe. Q. What did he ſay to you? A. He bid me not to be afraid of any thing, and he would not bring me out, but he has proved a liar from the beginning. Q. When was this? A. I know not; above a week. Q. Did you ſet your hand to the book? A. No. Q. Did he bid you worſhip him? A. Yes, he bid me alſo afflict perſons. ———You are now in the way to obtain mercy if you will confeſs and repent. She ſaid, the Lord help me. Q. Do not you deſire to be ſaved by Chriſt? A. Yes. ——Then you muſt confeſs freely what you know in this

† It was time to ſtop.

this matter. She then proceeded.——I was in bed and 1692.
the devil came to me and bid me obey him and I ſhould want for nothing, and he would not bring me out. Q. But how long ago? A. A little more than a year. Q. Was that the firſt time? A. Yes. Q. How long was you gone from your father, when you ran away? A. Two days. Q. Where had you your food? A. At John Stone's. Q. Did the devil appear to you then, when you was abroad? A. No, but he put ſuch thoughts in my mind as not to obey my parents. Q. Who did the devil bid you afflict? A. Timothy Swan. Richard Carrier comes often a nights and has me to afflict perſons. Q. Where do ye go? A. To Goody Ballard's ſometimes. Q. How many of you were there at a time? A. Richard Carrier and his mother, and my mother and grandmother.——Upon reading over the confeſſion ſo far, Goody Lacey, the mother, owned this laſt particular. Q. How many more witches are there in Andover? A. I know no more, but Richard Carrier."

CARRIER, at firſt, denied all, but was followed until he was brought to accuſe his mother, much in the ſame manner with Foſter's daughter and grand-daughter.

IT is urged by the writers of that day, as a principal part of the evidence againſt Mr. Burroughs, the miniſter, that ſeven or eight of the confeſſors witneſſed againſt him. It will appear from the examinations, that the confeſſion was drawn from the examinants by the court.

"Q. Mary Lacey! was there not a man alſo among you at your meeting? A. None but the devil. Q. What ſhape was the devil in then? A. He was a black man, and had a high crowned hat. Q. Your mother and your grandmother ſay, there was a miniſter there. How many men did you ſee there? A. I ſaw none but Richard Carrier. Q. Did you ſee none elſe? A. There was a miniſter there, and I think he is now in priſon.

1692. Q. Were there not two* miniſters there? A. Cannot tell.
Q. Was there not one Mr. Burroughs there? A. Yes."

CARRIER's examination is in this manner; the queſtions are omitted. "We met in a green which was the miniſter's paſture——We were in two companies at laſt ——I think there was a few men with them——I heard Sarah Good talk of a miniſter or two——One of them was he that has been at the eaſtward, his name is Burroughs, and is a little man.——I remember not the other's name."

MARGARET JACOBS had been brought to accuſe herſelf, and then to charge Burroughs, the miniſter, and her own grandfather; but, ſtruck with horror, choſe to loſe her own life, rather than perſiſt in her confeſſion; and begged forgiveneſs of Burroughs before his execution, who is ſaid to have freely forgiven her; and recanted all ſhe had ſaid againſt her grandfather, but in vain as to his life. Her own life was ſaved by a diſorder in her head, which prevented her trial at the firſt court; but before the next court, ſhe made a formal recantation of all ſhe had confeſſed, and delivered it to the judges.

"THE humble declaration of Margaret Jacobs unto the honoured court now ſitting at Salem, ſheweth,

"THAT whereas your poor and humble declarant being cloſely confined here in Salem goal for the crime of witchcraft, which crime thanks be to the Lord I am

* Mr. Deane, one of the miniſters of Andover, then near fourſcore, ſeems to have been in danger. He is tenderly touched in ſeveral of the examinations, which might be owing to a fair character, and he may be one of the perſons accuſed, who cauſed a diſcouragement to further proſecutions. "Deliverance Deane being aſked why ſhe and the reſt brought in Mr. Deane as afflicting perſons, ſhe anſwered, it was Satan's ſubtilty, for he told her he would put a ſham upon all theſe things, and make people believe that he did afflict. She ſaid Mrs. Oſgood and ſhe gave their conſent the devil ſhould bring Mr. Deane's ſhape to afflict. Being aſked again if Mrs. Oſgood and ſhe acted this buſineſs, ſhe ſaid yes." Mr. Deane was much beholden to this woman.

I am altogether ignorant of, as will appear at the great day of judgment: May it pleaſe the honoured court, I was cried out upon by ſome of the poſſeſſed perſons, as afflicting them; whereupon I was brought to my examination, which perſons at the ſight of me fell down, which did very much ſtartle and affright me. The Lord above knows I knew nothing, in the leaſt meaſure, how or who afflicted them; they told me, without doubt I did, or elſe they would not fall down at me; they told me, if I would not confeſs I ſhould be put down into the dungeon and would be hanged, but if I would confeſs I ſhould have my life; the which did ſo affright me, with my own vile wicked heart, to ſave my life; made me make the like confeſſion I did, which confeſſion, may it pleaſe the honoured court, is altogether falſe and untrue. The very firſt night after I had made confeſſion, I was in ſuch horror of conſcience that I could not ſleep for fear the devil ſhould carry me away for telling ſuch horrid lies. I was, may it pleaſe the honoured court, ſworn to my confeſſion, as I underſtand ſince, but then, at that time, was ignorant of it, not knowing what an oath did mean. The Lord, I hope, in whom I truſt, out of the abundance of his mercy, will forgive me my falſe forſwearing myſelf. What I ſaid, was altogether falſe againſt my grandfather, and Mr. Burroughs, which I did to ſave my life and to have my liberty; but the Lord, charging it to my conſcience, made me in ſo much horror, that I could not contain my ſelf before I had denied my confeſſion, which I did though I ſaw nothing but death before me, chuſing rather death with a quiet conſcience, than to live in ſuch horror, which I could not ſuffer. Where, upon my denying my confeſſion, I was committed to cloſe priſon, where I have enjoyed more felicity in ſpirit, a thouſand times, than I did before in my enlargement. 1692.

"And now, may it pleaſe your honours, your declarant, having, in part, given your honours a deſcription of my condition, do leave it to your honours pious and

1692. judicious diſcretions, to take pity and compaſſion on my young and tender years, to act and do with me, as the Lord above and your honours ſhall ſee good, having no friend, but the Lord, to plead my cauſe for me; not being guilty in the leaſt meaſure of the crime of witchcraft, nor any other ſin that deſerves death from man; and your poor and humble declarant ſhall for ever pray, as ſhe is bound in duty, for your honours happineſs in this life and eternal felicity in the world to come, So prays your honours declarant.

Margaret Jacobs."

THE recantation of ſeveral perſons in Andover will ſhew in what manner they were brought to their confeſſions.

"WE whoſe names are under-written, inhabitants of Andover; whenas that horrible and tremendous judgment beginning at Salem village in the year 1692, by ſome called whichcraft, firſt breaking forth at Mr. Parris's houſe, ſeveral young perſons, being ſeemingly afflicted, did accuſe ſeveral perſons for afflicting them, and many there believing it ſo to be, we being informed that, if a perſon was ſick, the afflicted perſon could tell what or who was the cauſe of that ſickneſs: Joſeph Ballard, of Andover, his wife being ſick at the ſame time, he, either from himſelf or by the advice of others, fetched two of the perſons, called the afflicted perſons, from Salem village to Andover, which was the beginning of that dreadful calamity that befel us in Andover, believing the ſaid accuſations to be true, ſent for the ſaid perſons to come together to the meeting houſe in Andover, the afflicted perſons being there. After Mr. Barnard had been at prayer, we were blindfolded, and our hands were laid upon the afflicted perſons, they being in their fits and falling into their fits at our coming into their preſence, as they ſaid; and ſome led us and laid our hands upon them, and then they ſaid they were well, and that

we

we were guilty of afflicting them: Whereupon, we were all seized, as prisoners, by a warrant from the justice of the peace and forthwith carried to Salem. And, by reason of that sudden surprizal, we knowing ourselves altogether innocent of that crime, we were all exceedingly astonished and amazed, and consternated and affrighted even out of our reason; and our neareſt and deareſt relations, seeing us in that dreadful condition, and knowing our great danger, apprehended there was no other way to save our lives, as the case was then circumstanced, but by our confessing ourselves to be such and such persons as the afflicted represented us to be, they, out of tenderness and pity, persuaded us to confess what we did confess. And indeed that confession, that it is said we made, was no other than what was suggested to us by some gentlemen, they telling us that we were witches, and they knew it, and we knew it, which made us think that it was so; and our understandings, our reason, our faculties, almost gone, we were not capable of judging of our condition; as also the hard measures they used with us rendered us incapable of making our defence, but said any thing and every thing which they desired, and most of what we said was but, in effect, a consenting to what they said. Some time after, when we were better composed, they telling us what we had confessed, we did profess that we were innocent and ignorant of such things; and we hearing that Samuel Wardwell had renounced his confession, and quickly after condemned and executed, some of us were told we were going after Wardwell. 1692.

"Mary Osgood, Deliverance Dane, Sarah Wilson,
Mary Tiler, Abigail Barker, Hannah Tiler."

The testimonial to these persons characters by the principal inhabitants of Andover will outweigh the credulity of the justices who committed them, or of the grand jury which found bills against them.

"To

1692. "To the honoured court of Aſſize held at Salem. THE humble addreſs of ſeveral of the inhabitants of Andover.

"May it pleaſe this honoured court,

"WE being very ſenſible of the great ſufferings our neighbours have been long under in priſon, and charitably judging that many of them are clear of that great trangreſſion which hath been laid to their charge, have thought it our duty to endeavour their vindication ſo far as our teſtimony for them will avail. The perſons in whoſe behalf we are deſired and concerned to ſpeak ſomething at preſent are Mrs. Mary Oſgood, Eunice Frye, Deliverance Dane, Sarah Wilton and Abigail Barker who are women of whom we can truly give this character and commendation, that they have not only lived among us ſo inoffenſively as not to give the leaſt occaſion to any that know them to ſuſpect them of witchcraft, but by their ſober godly and exemplary converſation have obtained a good report in the place, where they have been well eſteemed and approved in the church of which they are members.

"WE were ſurprized to hear that perſons of known integrity and piety were accuſed of ſo horrid a crime, not conſidering, then, that the moſt innocent were liable to be ſo miſrepreſented and abuſed. When theſe women were accuſed by ſome afflicted perſons of the neighbourhood, their relations and others, tho' they had ſo good grounds of charity that they ſhould not have thought any evil of them yet, through a miſrepreſentation of the truth of that evidence that was ſo much credited and improved againſt people, took great pains to perſuade them to own what they were, by the afflicted, charged with, and, indeed, did unreaſonably urge them to confeſs themſelves guilty, as ſome of us who were then preſent can teſtify. But theſe good women did very much aſſert their innocency, yet ſome of them ſaid they were

were not without fear leaſt Satan had ſome way enſnar- 1692.
ed them, becauſe there was that evidence againſt them which then was by many thought to be a certain indication and diſcovery of witchcraft, yet they ſeriouſly profeſſed they knew nothing by themſelves of that nature. Nevertheleſs, by the unwearied ſollicitations of thoſe that privately diſcourſed them both at home and at Salem, they were at length perſuaded publickly to own what they were charged with and ſo ſubmit to that guilt which we ſtill hope and believe they are clear of. And, it is probable, the fear of what the event might be and the encouragement that, it is ſaid, was ſuggeſted to them, that confeſſing was the only way to obtain favour, might be too powerful a temptation for timorous women to withſtand, in the hurry and diſtraction that we have heard they were then in. Had what they ſaid againſt themſelves proceeded from conviction of the fact, we ſhould have had nothing to have ſaid for them, but we are induced to think that it did not, becauſe they did ſoon privately retract what they had ſaid, as we are informed, and, while they were in priſon, they declared to ſuch as they had confidence to ſpeak freely and plainly to, that they were not guilty of what they had owned, and that what they had ſaid againſt themſelves was the greateſt grief and burden they laboured under: Now, though we cannot but judge it a thing very ſinful for innocent perſons to own a crime they are not gulity of, yet, conſidering the well ordered converſation of thoſe women while they lived among us, and what they now ſeriouſly and conſtantly affirm in a more compoſed frame, we cannot but in charity judge them innocent of the great tranſgreſſion that hath been imputed to them. As for the reſt of our neighbours, who are under the like circumſtances with theſe that have been named, we can truly ſay of them that, while they lived among us, we have had no cauſe to judge them ſuch perſons as, of late, they have been repreſented and reported to be, nor do we know

that

1692. that any of their neighbours had any juſt grounds to ſuſpect them of that evil that they are now charged with.

Dudley Bradſtreet	John Abbot, ſen.	Elizabeth Rite
Francis Dane, ſen.	SamuelBlanchard	Wm. Peters
Thomas Barnard	Wm. Ballard	Sam. Peters
Tho.Chandler, ſen.	Thomas Hooper	Walter Wright
John Barker	John Hooper	Hooker Oſgood
HenryIngolls, ſen.	Wm. Abbot	Benja. Stevens
Wm. Chandler, ſen.	James Ruſſell	Ann Bradſtreet
Samuel Martin	Oliver Holt	Joanna Dane
Stephen Parker	John Preſſon	Eliza. Stevens
Samuel Ingolls	Francis Dane, jun.	Eliza. Barnard
Ephraim Stevens	George Abbot	Phebe Robinſon
Daniel Poore	Wm.Chandler, jun.	Hannah Chandler
John Ingolls	John Chandler	Hannah Dane
HenryIngolls, jun.	Joſeph Robinſon	Bridget Chandler
John Frie, ſen.	Thomas Johnſon	Mary Johnſon
James Frie	Tho. Johnſon, jun.	Robert Ruſſel
John Aſlebee	Andrew Peters	Mary Ruſſel."
Samuel Holt	Mary Peters	

AMONG the confeſſing witches I find Dorothy Falkener, a child of 10 years, Abigail Falkener of 8, and Sarah Carrier between 7 and 8.

"SARAH CARRIER's confeſſion Aug. the 11th, 1696.

"IT was aſked Sarah Carrier by the Magiſtrates or Juſtices John Hawthorne Eſq; and others: How long haſt thou been a witch? A. Ever ſince I was ſix years old. Q. How old are you now? A. Near eight years old, brother Richard ſays I ſhall be eight years old in November next. Q. Who made you a witch? A. My mother, ſhe made me ſet my hand to a book. Q. How did you ſet your hand to it? A. I touched it with my fingers and the book was red, the paper of it was white. She ſaid ſhe never had ſeen the black man; the place where ſhe did it was in Andrew Foſter's paſture and Elizabeth Johnſon junr. was there. Being aſked who was there beſide, ſhe anſwered her Aunt Tooth-

aker

aker and her couſin. Being aſked when it was, ſhe ſaid, 1692.
when ſhe was baptized. Q. What did they promiſe to give you? A. A black dog. Q. Did the dog ever come to you? A. No. Q. But you ſaid you ſaw a cat once. What did that ſay to you? A. It ſaid it would tear me in pieces if I would not ſet my hand to the book. She ſaid her mother baptized her and the devil or black man was not there, as ſhe ſaw, and her mother ſaid when ſhe baptized her, thou art mine for ever and ever and amen. Q. How did you afflict folks? A. I pinched them, and ſhe ſaid ſhe had no puppets, but ſhe went to them that ſhe afflicted. Being aſked whether ſhe went in her body or her ſpirit, ſhe ſaid in her ſpirit. She ſaid her mother carried her thither to afflict. Q. How did your mother carry you when ſhe was in priſon? A. She came like a black cat. Q. How did you know that it was your mother? A. The cat told me ſo that ſhe was my mother. She ſaid ſhe afflicted Phelps's child laſt ſaturday, and Elizabeth Johnſon joined with her to do it. She had a wooden ſpear, about as long as her finger, of Elizabeth Johnſon, and ſhe had it of the devil. She would not own that ſhe had ever been at the witch meeting at the village. This is the ſubſtance.

Atteſt. Simon Willard."

This poor child's mother then lay under ſentence of death, the mother of the other two children was in priſon, and ſoon after tried and condemned, but upon her confeſſion reprieved, and finally pardoned.

I meet with but one perſon in near an hundred whoſe examinations are upon file, that was diſmiſſed after having been once charged, for which he might thank one of the girls who would not agree with the reſt in the accuſation.

"THE examination of Nehemiah Abbot, at a court at Salem village, by John Hawthorne and Jonathan Corwin Eſq'rs. 22d April 1692.

WHAT ſay you, are you guilty of witchcraft, of which you are ſuſpected, or not? No Sir, I ſay before God, before whom I ſtand, that I know nothing

of

1692. of witchcraft. Who is this man? Ann Putman named him.—Mary Walcot ſaid ſhe had ſeen his ſhape. What do you ſay to this? I never did hurt them. Who hurt you Ann Putman? That man. I never hurt her. Ann Putman ſaid, he is upon the beam. Juſt ſuch a diſcovery of the perſon carried out, and ſhe confeſſed; and if you would find mercy of God, you muſt confeſs. —If I ſhould confeſs this, I muſt confeſs what is falſe, Tell how far you have gone, who hurts you? I do not know, I am abſolutely free. As you ſay, God knows. If you will confeſs the truth, we deſire nothing elſe that you may not hide your guilt, if you are guilty, and therefore confeſs if ſo. I ſpeak before God that I am clear from this accuſation. What, in all reſpects? Yes in all reſpects. Doth this man hurt you? Their mouths were ſtopped. You hear ſeveral accuſe you, though one cannot open her mouth. I am altogether free. Charge him not unleſs it be he. This is the man ſay ſome, and ſome ſay he is very like him. How did you know his name? He did not tell me himſelf, but other witches told me. Ann Putman ſaid, it is the ſame man, and then ſhe was taken with a fit. Mary Walcot, is this the man? He is like him, I cannot ſay it is he. Mercy Lewis ſaid it is not the man. They all agreed, the man had a bunch on his eyes. Ann Putman, in a fit, ſaid, be you the man? ay, do you ſay you be the man? did you put a miſt before my eyes? Then he was ſent forth till ſeveral others were examined. When he was brought in again, by reaſon of much people and many in the windows ſo that the accuſers could not have a clear view of him, he was ordered to be abroad, and the accuſers to go forth to him and view him in the light, which they did, and in the preſence of the magiſtrates and many others diſcourſed quietly with him, one and all acquitting him, but yet ſaid he was like that man, but he had not the wen they ſaw in his apparition. Note, he was a hilly faced man and ſtood ſhaded by reaſon of his own hair, ſo that for a time he ſeemed to

ſome

ſome by-ſtanders and obſervers, to be conſiderably like 1692.
the perſon the afflicted did deſcribe.

" Mr. Samuel Parris, being deſired to take in writing the examination of Nehemiah Abbot, hath delivered it as aforeſaid, and upon hearing the ſame did ſee cauſe to diſmiſs him. John Hawthorne, Jona. Corwin, } Aſſiſtants."

We ſee, from the preceding examinations and confeſſions, the method of proceeding preparatory to the trial of the accuſed perſons.

For three or four months, the afflicted, generally, confined themſelves to their own neighbourhood, in their accuſations. In the examinations there is, ſometimes, mention made of ſtrangers, whoſe ſhapes or ſpectres were unknown to the afflicted. The firſt accuſed, in any other county, was Mrs. Cary, wife of Mr. Nathaniel Cary, a principal inhabitant of the town of Charleſtown. He, as ſoon as he heard of it, carried his wife to Salem village, ſuppoſing ſhe would not be known to the afflicted. They happened to arrive, juſt as the juſtices were going into the meeting houſe, where they held their court, to examine priſoners. All the priſoners, which were brought in, were accuſed, and the girls fell into fits as uſual; but Mrs. Cary came in and ſat without any notice, except that one or two of the afflicted came to her and aſked her name. After the examination, her huſband went to the tavern, intending there to diſcourſe with one of the girls, who he heard had accuſed his wife. John, the Indian who pretended to be one of the afflicted, was a ſervant in the houſe. Two of the girls were ſoon brought in, and inſtead of giving any opportunity of diſcourſing with them, they tumbled about the floor, crying out Cary, Cary, and a warrant came to apprehend her; the Indian joining with the two girls in the charge. No bail could be admitted, nor was it to any purpoſe to make any defence, and ſhe was ordered to the priſon at Boſton; but, upon the requeſt of her huſband, was removed

1692. removed to Cambridge goal, where ſhe was kept in irons. Afterwards when the trials came on at Salem, her huſband went there to ſee how they were managed, and he thought the only chance his wife had for her life, was by an eſcape, which, by ſome means or other, he effected, and fled with her to New York, where Governor Fletcher entertained them very courteouſly.—— They petitioned, I ſuppoſe before the eſcape, that ſhe might be tried in the county where ſhe lived. If the court thought they were held to try the fact in the county where it was committed, there ſeems to have been room for an argument, her body being in Middleſex at the ſame time that her ſpectre and the body of the afflicted perſons were in Eſſex.

Mrs. Cary was committed about the middle of May. Towards the end of the month, Capt. John Alden of Boſton was accuſed, who was thereupon ſent down to Salem. He had been many years commander of a ſloop in the colony ſervice, employed for ſupplying the forts eaſt with proviſions and ſtores; and although, upon his firſt appearing, the juſtices allowed that he always had the character of an honeſt man, yet one of them, Gidney, ſoon after, let him know he then ſaw reaſon to think otherwiſe of him. Alden, in his account, ſays, that the accuſer firſt pointed to another man and ſaid nothing, but that the man who held her ſtooped down to her ear and then ſhe cried out Alden, Alden. All were ordered into the ſtreets and a ring made, and then ſhe cried out, *there ſtands Alden a bold fellow with his hat on, ſells powder and ſhot to the Indians, lies with the ſquaws and has papooſes &c.* He was immediately taken into cuſtody of the Marſhall and required to deliver up his ſword. A further examination was had in the meeting houſe, and his hands were held open by the officer, that he might not pinch the afflicted, who were ſtruck down at the ſight of him, and made their uſual cries; all which, the juſtices deem'd ſufficient grounds for committing him to goal, where he lay 15 weeks, and then he was

prevailed

prevailed on by his friends to make his eſcape, and to abſent himſelf until the conſternation ſhould abate, and the people recover the uſe of their reaſon. 1692.

ALTHOUGH the number of priſoners had been increaſing, from February until the beginning of June, yet there had been no trials. The charter was expected from day to day, and the new conſtitution of government to take place. Soon after it's arrival, commiſſioners of oyer and terminer were appointed for the trial of witchcrafts. By the charter, the general aſſembly are to conſtitute courts of juſtice, and the governor with the advice of council is to nominate and appoint judges, commiſſioners of oyer and terminer, &c. but whether the governor, with advice of council, can conſtitute a court of oyer and terminer, without authority for that purpoſe derived from the general aſſembly, has been made a queſtion; however, this, the moſt important court to the life of the ſubject which ever was held in the province, was conſtituted in no other manner. It was opened at Salem, the firſt week in June. Only one of the accuſed, Bridget Biſhop, alias Oliver, was then brought to trial. She had been charged with witchcraft twenty years before. The accuſer, upon his death bed, confeſſed his own guilt in the accuſation; but an old woman, once charged with being a witch, is never afterwards wholly free from the accuſation, and ſhe being, beſides, of a fractious temper, all the loſſes the neighbours met with in their cattle and poultry, and accidents in overſetting their carts, &c. were attributed to her ſpite againſt them, and now ſuffered to be teſtified againſt her. This evidence, together with the teſtimony of the afflicted, and of the confeſſors, what they had heard from the ſpectres and ſeen of her ſpectre, and an excreſcence, called a teat, found upon her body, were deemed by court and jury plenary proof, and ſhe was convicted, and on the 10th of June executed. The further trials were put off to the adjournment, the 30th of June. The governor and council thought proper, in the mean time,

1692. to take the opinion of ſeveral of the principal miniſters upon the ſtate of things as they then ſtood. This was an old charter practice. They gave their opinion as follows. *

"THE return of ſeveral miniſters, conſulted by his Excellency and the honorable council upon the preſent witchcraft in Salem village.

Boſton, June 15th, 1692.

"1. THE afflicted ſtate of our poor neighbours, that are now ſuffering by moleſtations from the inviſible world, we apprehend ſo deplorable, that we think their condition calls for the utmoſt help of all perſons in their ſeveral capacities.

"2. WE cannot but, with all thankfulneſs, acknowledge the ſucceſs which the merciful God has given to the ſedulous and aſſiduous endeavours of our honorable rulers, to defeat the abominable witchcrafts which have been committed in the country, humbly praying, that the diſcovery of thoſe myſterious and miſchievous wickedneſſes may be perfected.

"3. WE judge that in the proſecution of theſe and all ſuch witchcrafts, there is need of a very critical and exquiſite caution, leſt by too much credulity for things received only upon the devil's authority, there be a door opened for a long train of miſerable conſequences, and Satan get an advantage over us; for we ſhould not be ignorant of his devices.

"4. As, in complaints upon witcherafts, there may be matters of enquiry which do not amount unto matters of preſumption, and there may be matters of preſumption which yet may not be matters of conviction, ſo it is neceſſary, that all proceedings, thereabout, be managed with an exceeding tenderneſs towards thoſe that may be complained

* I fancy this muſt be what Douglaſs had heard ſomething of and calls by miſtake "the addreſs of many of the very popular but very weak miniſters or clergy to Sir W. P. a very weak governor, with thanks for what was already done, and exhorting him to proceed."

complained of, especially if they have been persons formerly of an unblemished reputation. 1692.

"5. When the first enquiry is made into the circumstances of such as may lye under the just suspicion of witchcrafts, we could wish that there may be admitted as little as possible of such noise, company and openness as may too hastily expose them that are examined, and that there may be nothing used as a test for the trial of the suspected, the lawfulness whereof may be doubted by the people of God; but that the directions given by such judicious writers, as Perkins and Bernard, may be observed.

"6. Presumptions whereupon persons may be committed and, much more, convictions whereupon persons may be condemned, as guilty of witchcrafts, ought certainly to be more considerable than barely the accused person's being represented by a spectre unto the afflicted; inasmuch as it is an undoubted and a notorious thing, that a dæmon may, by God's permission, appear, even to ill purposes, in the shape of an innocent, yea and a virtuous man. Nor can we esteem alterations made in the sufferers, by a look or touch of the accused, to be an infallible evidence of guilt, but frequently liable to be abused by the devil's leger-demain.

"7. We know not whether some remarkable affronts given the devils, by our disbelieving those testimonies whose whole force and strength is from them alone, may not put a period unto the progress of the dreadful calamity begun upon us, in the accusation of so many persons, whereof some, we hope, are yet clear from the great transgression laid to their charge.

"8. Nevertheless, we cannot but humbly recommend, unto the government, the speedy and vigorous prosecutions, of such as have rendered themselves obnoxious, according to the directions given in the laws of God and the wholsome statutes of the English nation, for the detection of witchcrafts."

1692. THE judges ſeem to have paid more regard to the laſt article of this return, than to ſeveral which precede it; for the proſecutions were carried on with all poſſible vigor and without that exquiſite caution which is propoſed.

AT the firſt trial, there was no colony or provincial law againſt witchcraft in force. The ſtatute of James the firſt muſt therefore have been conſidered as in force in the province, witchcraft not being an offence at common law. Before the adjournment, the old colony law, which makes witchcraft a capital offence, was revived, with the other local laws, as they were called, and made a law of the province.

AT the adjournment, June 30. five women were brought upon trial, Sarah Good, Rebekah Nurſe, Suſannah Martin, Elizabeth How, and Sarah Wilder.

THERE was no difficulty with any but Nurſe. She was a member of the church and of a good character, and, as to her, the jury brought in their verdict not guilty; upon which the accuſers made a great clamour, and the court expreſſed their diſſatisfaction with the verdict, which cauſed ſome of the jury to deſire to go out again; and then they brought her in guilty. This was a hard caſe, and can ſcarcely be ſaid to be *the execution of law and juſtice in mercy.* † In a capital caſe, the court often refuſes a verdict of, *guilty*, but, rarely, if ever, ſends a jury out again, upon one of, *not guilty*. It does not indeed appear, that in this caſe the jury was ordered out again; but the diſſatisfaction expreſſed by the court ſeems to have been in ſuch a manner as to have the ſame effect. The certificate given by the foreman of the jury, to ſatisfy the relations of the woman, ſhews how the fact was.

"July 4th, 1692.

"I Thomas Fiſk the ſubſcriber hereof, being one of them that were of the jury laſt week at Salem court, upon the trial of Rebekah Nurſe, &c. being deſired

* A part of the oath the King takes at his coronation, "which Judges ſhould have written on their hearts." *Foſter's crown law.*

desired, by some of the relations, to give a reason why the jury brought her in guilty, after the verdict not guilty; I do hereby give my reasons to be as follows. 1693.

"When the verdict *not guilty* was given, the honored court was pleased to object against it, saying to them, that they think they let slip the words which the prisoner at the bar spake against herself, which were spoken in reply to Goodwife Hobbs and her daughter, who had been faulty in setting their hands to the devil's book, as they had confessed formerly; the words were '*What! do these persons give in evidence against me now? they used to come among us.*' After the honored court had manifested their dissatisfaction of the verdict, several of the jury declared themselves desirous to go out again, and thereupon the honored court gave leave; but when we came to consider the case, I could not tell how to take her words as an evidence against her, till she had a further opportunity to put her sense upon them, if she would take it; and then going into court, I mentioned the words aforesaid, which by one of the court were affirmed to have been spoken by her, she being then at the bar but made no reply nor interpretation of them; whereupon, these words were to me a principal evidence against her. Thomas Fisk."

Nurse, being informed of the use which had been made of her words, gave in a declaration to the court, that "when she said Hobbs and her daughter were of her company, she meant no more than that they were prisoners as well as herself; and that, being hard of hearing, she did not know what the foreman of the jury said;" but her declaration had no effect.

Mr. Noyes, the minister of Salem, a zealous prosecutor, excommunicated the poor old woman and delivered her to Satan, to whom he supposed she had formally given herself up many years before; but her life and conversation had been such, that the remembrance thereof, in a short time after, wiped off all the reproach occasioned by the civil or ecclesiastical sentence against her.

1692. IT is ſaid, that at the trial of Sarah Good, one of the afflicted perſons fell into a fit, and, after recovery, cried out, "that the priſoner had ſtabbed her and broke her knife in doing it;" and a piece of the knife was found upon the afflicted perſon; but a young man declared, that, the day before, he broke that very knife and threw away the piece, this afflicted perſon being then preſent. The court took ſo much notice as to bid her tell no more lies, but went on to improve her as a witneſs againſt other priſoners.* Something happened, not unlike to this, in a trial before Sir Matthew Hale. The afflicted children, in their fits, would ſhriek out upon the leaſt touch from Roſe Cullender, one of the witches, but remained quite inſenſible when any body elſe touched them. Leſt there ſhould be any fraud, Lord Cornwallis, Sir Edmund Bacon, Serjeant Keeling and other gentlemen attended one of the girls, whilſt ſhe was in her fits, at another part of the hall, and one of the witches was brought, and an apron was put before the girl's eyes; but inſtead of the witches hand, another perſon's hand was taken to touch the girl, who thereupon ſhrieked out as ſhe uſed to do. The gentlemen returned and declared to the court they believed the whole was an impoſture. Notwithſtanding this, the witch was found guilty, and the judge and all the court were fully ſatisfied with the verdict, and awarded ſentence accordingly.

SUSANNAH MARTIN had been ſuſpected ever ſince 1669, ſo that many witch ſtories were reported of her and given in evidence againſt her. One of theſe women, being told at her execution by the miniſter Mr. Noyes, that he knew ſhe was a witch, and therefore adviſed her to confeſs, ſhe replied, that *he lied, and that ſhe was no*

* This ſtory is related by Calef, who, by his narrative, gave great offence, having cenſured the proceedings, at a time when in general the country did not ſee the error they had been in; but in his account of facts which can be evidenced by records, and other original writings, he appears to have been a fair relator.

no more a witch than he was a wizard; and if he took away her life God would give him blood to drink. † 1692.

AT the trial of another of them, it is ſaid, that, one of the afflicted cried out in court upon Mr. Willard, a miniſter of Boſton, and that ſhe was immediately ſent out of court; and it was given out that ſhe was miſtaken in the perſon.‡ There was one Willard then in priſon for witchcraft.

AT the next adjournment, Aug. 5th, George Burroughs, John Procter and Elizabeth his wife, John Willard, George Jacobs and Martha Carrier were all brought upon trial and condemned, and all executed upon the 19th of Auguſt, except Elizabeth Procter, who eſcaped by pleading her belly.

BURROUGHS had been a preacher,§ ſeveral years before this, at Salem village, where there had been ſome miſunderſtanding between him and the people. Afterwards he became a preacher at Wells in the province of Main. We will be a little more particular in our account of his trial.‖ The indictment was as follows.

† Calef.—They have a tradition among the people of Salem that a peculiar circumſtance attended the death of this gentleman, he having been choaked with blood, which makes them ſuppoſe her, if not a witch, a Pythoniſſa, at leaſt, in this inſtance.

‡ Calef.

§ The confeſſing witches were examined concerning him.—"Richard Carrier affirmed to the jury that he ſaw Mr. George Burroughs at the witch meeting at the village and ſaw him adminiſter the ſacrament. Mary Lacey, ſen^r. and her daughter Mary affirmed that Mr. George Burroughs was at the witch meetings and witch ſacraments, and that ſhe knows Mr. Burroughs to be of the company of witches. Aug. 3. 1692."

‖ Among the ſufferers diſcovered in England by Matthew Hopkins in 1645, there was one Mr. Lewis, whom Mr. Baxter calls an old reading parſon, and ſays that he confeſſed he had two imps, and that he ſent one to ſink a ſhip which he ſaw on the coaſt, and that afterwards he ſaw the ſhip ſink. Doctor Hutchinſon, in his obſervations upon the Suffolk witches, ſays, Mr. Lewis was an ancient clergyman, near fourſcore, who read Q. Elizabeth's homilies

1692. "Anno Regis et Reginæ, &c. quarto.

Eſſex ſſ. THE Jurors for our ſovereign Lord and Lady the King and Queen, preſent, that George Burroughs, late of Falmouth in the Province of Maſſachuſets bay, clerk, the ninth day of May, in the fourth year of the reign of our ſovereign Lord and Lady William and Mary, by the grace of God of England, Scotland, France and Ireland, King and Queen, defenders of the faith, &c. and divers other days and times, as well before as after, certain deteſtable arts called witchcrafts and ſorceries, wickedly and feloniouſly hath uſed, practiſed and exerciſed, at and within the town of Salem, in the county of Eſſex aforeſaid, in, upon and againſt one Mary Walcot of Salem village, in the county of Eſſex, ſingle woman; by which ſaid wicked arts, the ſaid Mary Walcot, the ninth day of May, in the fourth year above ſaid, and divers other days and times as well before as after, was and is tortured, afflicted, pined, conſumed, waſted and tormented, againſt the peace of our ſovereign Lord and Lady the King and Queen, and againſt the form of the ſtatute in that caſe made and provided. Endorſed Billa vera." Three other bills were found againſt him for witchcrafts upon other perſons, to all which he pleaded not guilty, and put himſelf upon trial, &c.

THE afflicted perſons, and the confeſſing witches were firſt examined; for although, by the advice of the elders, their evidence was not concluſive, yet ſome preſumption aroſe from it, and with other circumſtances to corroborate it, the proof might be ſufficient to convict. One circumſtance was, that, being a little man, he had performed feats beyond the ſtrength of a giant, viz. had held

homilies inſtead of ſermons, but being what was then called a malignant parſon, he was more eaſily convicted; that upon his trial he aſſerted his innocency, and at his execution read the ſervice for burial himſelf; that the confeſſion Mr. Baxter mentions was from the evidence of perſons at his trial, and as Hopkins had ſwam him ſeveral times till he was near drowning, ſuch confeſſion, or any other, was not matter of great wonder.

held out a gun of ſeven feet barrel with one hand, and had carried a barrel full of cyder from a canoe to the ſhore. Upon his urging, that an Indian, who was preſent, held out the gun alſo, and the witneſſes not remembring that any Indian was there, it was ſaid the Indian muſt have been the black man or the devil, who the witneſſes ſwore looks like an Indian. Other evidence was given of his harſh treatment of his wives, having been twice married, and of his pretending to them that he knew what had been ſaid to them in his abſence, and his perſuading them to give it under their hands in writing, and to ſwear to it, that they would not reveal his ſecrets; and it was further ſaid they had privately complained to the neighbours that their houſe was haunted with ſpirits: And a brother of one of his wives ſwore, that going out after ſtrawberries, upon their return, he went into the buſhes on foot, and though they rode a quick pace, yet when they came near home, to their aſtoniſhment, they found him with them, and that he fell to chiding his wife for talking to her brother about him, and ſaid he knew their thoughts, which, the brother ſaid was more than the devil knew; to which Burroughs replied, that his god told him. Againſt this evidence he urged, that a man was with him, to ſhew that another walked as faſt as he did; and this was immediately determined to be the black man alſo. And, upon the whole, he was confounded and uſed many wiſtings and turnings, which I think we cannot wonder at. At his execution, he concluded his dying prayer with the Lord's prayer; probably to convince ſome of the ſpectators of his innocence, for it was the received opinion, that a true witch could not ſay the Lord's prayer without blundering,* and in many of the examinations it was uſed as a teſt, and ſeveral of the old women not ſaying it right, this was improved againſt them. 1692.

SEPTEMBER

* "She was bid to ſay the Lord's prayer. When ſhe came to forgive us our treſpaſſes as we forgive them that treſpaſs againſt us, ſhe ſaid, ſo do I. No other miſtake, in ſaying the prayer, remarkable." *A woman's examination, Sept.* 21. 1692.

1692. SEPTEMBER the 9th, *Martha Cory*, *Mary Eſty*, *Alice Parker*, *Ann Pudeater*, Dorcas Hoar, and Mary Bradbury were tried, and September 17th, *Margaret Scott*, *Wilmot Read*, *Samuel Wardwell*, *Mary Parker*, Abigail Falkner, Rebekah Eames, Mary Lacey, Ann Foſter and Abigail Hobbs, and all received ſentence of death. Thoſe in italick were executed the 22d following.

MARY ESTY, who was ſiſter to Nurſe, gave in to the court a petition; in which ſhe ſays, ſhe does not aſk her own life, although ſhe is conſcious of her innocence, but prays them, before they condemn any more, to examine the confeſſing witches more ſtrictly; for ſhe is ſure they have belied themſelves and others, which will appear in the world to which ſhe is going, if it ſhould not in this world.

THOSE who were condemned and not executed, I ſuppoſe, all confeſſed their guilt. I have ſeen the confeſſions of ſeveral of them. Wardwell alſo confeſſed, but he recanted and ſuffered. His own wife, as well as his daughter,* accuſed him and ſaved themſelves. There are many inſtances, among the examinations, of children accuſing their parents, and ſome of parents accuſing their children. This is the only inſtance of a wife or huſband, accuſing one the other, and ſurely this inſtance ought not to have been ſuffered. I ſhudder while I am relating it. Beſides this irregularity, there were others in the courſe of theſe trials. The facts laid in the indictments were, witchcrafts upon particular perſons, there was no evidence of theſe facts, but what was called ſpectral evidence, which, in the opinion of the miniſters, was inſufficient; ſome of the other evidence was of facts ten or twenty years before, which had no relation to thoſe with which they were charged; and ſome of them no relation to the crime of witchcraft. Evidence is not admitted, even againſt the general character of perſons upon

* The daughter upon a ſecond enquiry denied that ſhe knew her father and mother to be witches; the wife was not aſked a ſecond time.

upon trial, unleſs to encounter other evidence brought in favour of it; much leſs ought their whole lives to be arraigned, without giving time ſufficient for defence.† 1692.

GILES CORY was the only perſon, beſides thoſe already named, who ſuffered. He, ſeeing the fate of all who had put themſelves upon trial, refuſed to plead; but the judges, who had not been careful enough in obſerving the law in favour of the priſoners, determined to do it againſt this unhappy man, and he had judgment of *peine fort et dure* for ſtanding mute, and was preſſed to death; the only inſtance which ever was, either before this time or ſince, in New-England. In all ages of the world ſuperſtitious credulity has produced greater cruelty than is practiſed among the Hottentots, or other nations, whoſe belief of a deity is called in queſtion.

THIS court of oyer and terminer, happy for the country, ſat no more. Nineteen perſons had been executed, all aſſerting their innocence; but this was not enough to open the eyes of the people in general. The goal at Salem was filled with priſoners, and many had been removed to other goals; ſome were admitted to bail, all reſerved for trial, a law having paſſed conſtituting a ſupreme ſtanding court, with juriſdiction in capital, as well as all other criminal caſes. The general court alſo ſhewed their zeal againſt witchcraft, by a law paſſed in the words of the ſtatute of James the firſt, but this law was diſallowed by the King. If the court was of opinion that the ſtatute extended here, I ſee no neceſſity of a provincial act exactly in the ſame words; if the ſtatute did not extend here, I know not by what law the firſt that was tried could be ſentenced to death.

THE

† Againſt many of the women there was likewiſe given in evidence the return of a jury of one man, a doctor, and eight women appointed to examine their bodies for tetts and other devil's marks. The ſearch was curious enough, but the return is too indelicate to appear in this relation. Some ſaid the credulity was ſuch that a flea bite would paſs well enough for a tett or the devil's mark.

1692. THE time, by law, for holding the court at Salem, was not until January. This gave opportunity for conſideration; and this alone might have been ſufficient for a change of opinions and meaſures, but another reaſon has been given for it. Ordinarily, perſons of the loweſt rank in life have had the misfortune to be charged with witchcrafts; and although many ſuch had ſuffered, yet there remained in priſon a number of women, of as reputable families as any in the towns where they lived, and ſeveral perſons, of ſtill ſuperior rank, were hinted at by the pretended bewitched, or by the confeſſing witches. Some had been publickly named. Dudley Bradſtreet, a juſtice of peace, who had been appointed one of preſident Dudley's council, and who was ſon to the worthy old governor, then living, found it neceſſary to abſcond. Having been remiſs in proſecuting, he had been charged by ſome of the afflicted as a confederate. His brother, John Bradſtreet, was forced to fly alſo. Calef ſays it was intimated that Sir William Phips's lady was among the accuſed. It is certain, that one who pretended to be bewitched at Boſton, where the infection was beginning to ſpread, charged the ſecretary of the colony of Connecticut.* Mrs. Hale, wife to the miniſter of Beverly, was accuſed alſo; which cauſed her huſband to alter his judgment and to be leſs active in proſecutions than he had been.

AT the court in January, the grand jury found bills againſt about 50 for witchcraft, one or two men, the reſt women; but, upon trial, they were all acquitted, except three of the worſt characters, and thoſe the governor

* "As to what you mention, concerning that poor creature in your town that is afflicted, and mentioned my name to yourſelf and ſon, I return you hearty thanks for your intimation about it, and for your charity therein mentioned; and I have great cauſe to bleſs God, who, of his mercy hitherto, hath not left me to fall into ſuch an horrid evil." *Extract of a letter from Secr'y Allen to Inc. Mather, Hartford, 18 March, 92-3.*

governor reprieved for the King's mercy. All that were not brought upon trial he ordered to be diſcharged.† Such a goal delivery was made this court, as has never been known at any other time in New-England. 1692.

SEVERAL perſons had been charged and impriſoned in the county of Middleſex alſo, and at the firſt court at Charleſtown they were brought to trial, but the jury acquitted them all. Some of the court were diſſatisfied. The juries changed ſooner than the judges. However, it was not long before one, at leaſt, of the judges of the firſt court of oyer and terminer was ſenſible of his error. Mr. Sewall, at a public faſt, gave in to the miniſter a bill, acknowledging his error in the late proceedings, and deſiring to humble himſelf in the ſight of God and his people. It is ſaid, that, the chief juſtice, Mr. Stoughton, being informed of this action of one of his brethren, obſerved for himſelf that, when he ſat in judgment, he had the fear of God before his eyes and gave his opinion according to the beſt of his underſtanding; and although it might appear afterwards, that he had been in an error, yet he ſaw no neceſſity of a public acknowledgment of it.

ONE of the miniſters, who, in the time of it, was fully convinced that the complaining perſons were no impoſtures, and who vindicated his own conduct and that

† It is ſaid, the governor's lady, when Sir William was abſent, ſaved one poor woman from trial. "In Sir William's abſence, his lady, I ſuppoſe upon account of her name's being Mary, (William and Mary) was ſollicited for a favour in behalf of a woman committed by one of the judges, on accuſation of witchcraft, by a formal warrant under his hand and ſeal, and in cloſe priſon for trial the next aſſizes, then not far off. The good lady, *propriâ virtute*, granted and ſigned a warrant for the ſaid woman's diſcharge, which was obeyed by the keeper, and the woman lives ſtill for aught I know. Truly, I did not believe this ſtory till I ſaw a copy of the mittimus and diſcharge, under the keeper's hand, atteſted a true copy, for which diſcovery the keeper was diſcharged from his truſt and put out of his employment, as he himſelf told me. *M.S. letter.*

1692. that of the court, in a narrative he publiſhed, remarks, not long after, in his diary, that many were of opinion that innocent blood had been ſhed. None of the pretended afflicted were ever brought upon trial for their fraud, ſome of them proved profligate perſons, abandoned to all vice, others paſſed their days in obſcurity or contempt.

THE opinion which prevailed in New-England, for many years after this tragedy, that there was ſomething præternatural in it, and that it was not all the effect of fraud and impoſture, proceeded from the reluctance in human nature to reject errors once imbibed. As the principal actors went off the ſtage, this opinion has gradually leſſened, and perhaps it is owing to a reſpect to the memory of their immediate anceſtors, that many do not yet ſeem to be fully convinced. There are a great number of perſons who are willing to ſuppoſe the accuſers to have been under bodily diſorders which affected their imaginations. This is kind and charitable, but ſeems to be winking the truth out of ſight. A little attention muſt force conviction that the whole was a ſcene of fraud and impoſture, began by young girls, who at firſt perhaps thought of nothing more than being pitied and indulged, and continued by adult perſons, who were afraid of being accuſed themſelves. The one and the other, rather than confeſs their fraud, ſuffered the lives of ſo many innocents to be taken away, through the credulity of judges and juries.*

IT

* The general court, about 20 years after, upon the petitions of the relations of thoſe who had been executed, and of ſeveral perſons who had been charged and fled, and whoſe goods had been ſeized, made grants for and in conſideration of the loſſes ſuſtained; but the petitioners alledged, that they bore no proportion to the real damage. Philip Engliſh, a merchant in Salem, received £. 300.—He computed his damages at £.1500.——Enquiry was made by a committee, and they profeſſed to report ſuch ſums as each petitioner had ſuffered.

It was propoſed that the members of the general court ſhould, during the receſs, conſider of ſuch laws as were neceſſary to be eſtabliſhed; for the act reviving the colony laws was to continue in force no longer than until November 1692. 1692.

This was a work of great importance, and required the wiſeſt heads, and ought to have been committed to ſelect perſons upon a preconcerted plan, the whole of which each perſon ſhould have kept in view; for want thereof the people of the province have been ſufferers ever ſince; the conſtruction of many laws has been doubtful and varying, it being impoſſible to reconcile the ſeveral parts to any general principle of law whatſoever. Beſides, being paſſed one after another, as they happened to be brought in, and ſent to England for allowance, ſome were diſapproved; others, which depended upon or had ſome connection with thoſe which were diſapproved, were allowed; whereas, if one complete code or ſyſtem had been prepared and ſent to England, ſuch alterations would have been propoſed, as might finally have iſſued in a well digeſted conſiſtent body of laws; and a temporary proviſion might have been made, until this perpetual rule ſhould be ſettled. Seven years had paſſed, and four different acts had been ſent, one after another, to England, for eſtabliſhing courts of juſtice, before the royal approbation could be obtained. It was the practice of the adminiſtration then, and, it ſeems, at that time to have been well enough received in the province,† to point out, either in the order diſallowing laws, or to the agent who preſented them, the particular exceptions, and to propoſe ſuch alterations as might render them

† "I am alſo obliged to acknowledge your Lordſhips favour in making known the reaſons of the repeal of divers acts and laws made within this province, which is of good information and direction unto the general aſſembly in their new making of others to thoſe purpoſes." *Extr. from Lt. Gov. Stoughton's letter to lords of trade, Sept.* 30. 1697.

1692. them acceptable, except in ſuch caſes where the law in all it's parts was diſapproved. ‖

THE legiſlature conſiſting of many of the ſame perſons who had compoſed the legiſlature under the old charter, we find the ſame ſpirit, in moſt of the laws which were firſt paſſed, as had been in the colony laws. The firſt act was a ſort of *Magna charta*, aſſerting and ſetting forth their general privileges, and this clauſe was among the reſt, "No aid, tax, tallage, aſſeſſment, "cuſtom, loan, benevolence or impoſition whatſoever "ſhall be laid, aſſeſſed, impoſed, or levied on any of their "Majeſties ſubjects or their eſtates, on any pretence "whatſoever, but by the act and conſent of the gover- "nor, council and repreſentatives of the people aſſembled "in general court." The other parts of the act were copied from *Magna charta*. This was ſoon diſallowed. So was an act for puniſhing capital offenders; among whom are ranked idolaters, blaſphemers and inceſtuous perſons.

‖ By Poyning's act, ſo called, it is provided, "that no parliament be hereafter holden in the ſaid land of Ireland but at ſuch ſeaſon as the King's lieutenant and council there firſt do certify the King, under the great ſeal of that land, the cauſes and conſiderations, and all ſuch acts as them ſeemeth ſhould paſs in the ſame parliament, and ſuch cauſes, conſiderations and acts affirmed by the King and his council to be good and expedient for that land." By an act of the parliament of England 3d and 4th Phil. & Mar. it was determined, that the meaning of the words "good and expedient for that land" was that the acts ſent to England might be paſſed in ſuch form and tenor as ſent over, or that any part of them might be changed and altered before they were ſent back to Ireland to be paſſed by the parliament there. A queſtion, however, was ſtarted in the 12th of K. James I. and it was referred to the chief juſtice, &c. to conſider both the Iriſh and Engliſh act, and although it may ſeem difficult to include correction and alteration in affirmation, yet, it was certain, the act of Phil. & Mar. had ſo explained it; and thus, although the acts themſelves are to be originally drawn or propoſed in Ireland, yet the amendments or alterations, which may be as material as the acts themſelves, originate in England. This ſeems unconſtitutional in an Engliſh government. It is not certain, however, that there may not be conveniencies ariſing hereby to the people of Ireland ſufficient to balance all inconveniencies.

persons, and, what the benignity of the common law makes manslaughter, was by this act expresly declared to be wilful murder. This law was framed from the judicial laws of Moses. Divers other acts, which discovered the same spirit, met with the same fate. The danger they had been in from Sir Edmund Andros's calling their titles in question, I imagine, must have occasioned an act for quieting possessions; declaring that three years quiet possession should give a title, with the usual savings of infants, &c. This, probably, was thought too short a term, and therefore disallowed; as was also an act for the equal distribution of insolvents estates; the rule of law for paying debts according to their nature and degree was thought preferable; but the people having never been used to this, it would have been very inconvenient, and, upon further trial, the act, of one to the same purpose, was allowed. It is indeed difficult to assign a sufficient reason, why not only one set of creditors of a deceased insolvent shall be paid their full debts to the exclusion of all others; but even an executor or administrator shall have it in his power to pay himself, to the exclusion of others whose debts were of the same nature. 1692.

Other acts, which were passed, were approved, viz. one for prevention of frauds and perjuries, conformable to the statute of Charles the 2d; others for punishing criminal offences, in many parts mitigating the penalties at common law; for the observation of the Lord's day; solemnizing marriages by a minister or a justice of peace; settlement and support of ministers and schoolmasters; regulating towns and counties; requiring the oaths appointed instead of the oaths of allegiance and supremacy, as also the oaths of officers; establishing fees; ascertaining the number and regulating the house of representatives, and divers other acts of immediate necessity and general utility, which have been in force ever since; but none of more universal influence than the act for settlement of the estates of persons

1692. dying inteſtate. In a new country the length of time an eſtate has been in a family can't be urged for the further continuance of it;* where improvements are continually making, the perſonal eſtate is continually changing into real, which increaſes the natural injuſtice of one child's taking the real eſtate of the parent, to the excluſion of the other children; it was therefore thought reaſonable, that the real as well as perſonal eſtate of a parent ſhould be equally diſtributed among his or her children, ſaving to the eldeſt ſon, either from the rule in the law of Moſes, or a ſuppoſed juſt claim from primogeniture, a double ſhare. The act therefore, in general, was planned upon the ſtatute of diſtributions, but gave two ſhares to the eldeſt ſon, and, undoubtedly, in the diſtribution among the children of an inteſtate, reſpected real eſtates in like manner with perſonal; the widow had her thirds in the real for life only.

IT is evident, that the principal point in view was to make real eſtates partible among the children of an inteſtate, and that they never conſidered the full operation of the clauſe in the ſtatute, and which is alſo brought into the act, providing, that where there are no children the whole eſtate ſhall go to the next of kin to the inteſtate.†

THE

* In Ruſſia, it is ſaid, they diſtinguiſh between lands that have been a long time in a family and thoſe of late original. "Lands, that have not been above twenty years in a family, fall to the younger children proportionably with the eldeſt." *Voyage to the northern coaſts of Europe.*

† Accordingly, for more than thirty years after the paſſing this law, it was the prevailing practice, I am not ſure it was ſo in every inſtance, for real eſtates to deſcend and be diſtributed by the courts of probate as at common law, the inſtance of children of an inteſtate only excepted. At length by judgments at common law, firſt the half blood, then the father and the mother have been determined to be intitled to the real in like manner with the perſonal eſtate. General entails have been adjudged, notwithſtanding, not to be partible. I ſuppoſe, upon this principle, that by this act the common law is altered only with reſpect to inteſtate eſtates, and takes place in deviſes as if it had not been made. It had been expreſly declared, in the laws of Plimouth colony, that lands in fee ſimple ſhould go to all the ſons, the eldeſt a double ſhare, but entails ſhould go according to the laws of England.

THE new government, as we have obſerved, found themſelves in a ſtate of war. The authority of the colony had appointed Eliſha Hutchinſon, who was one of the aſſiſtants and chief officer of the regiment of Boſton, to be commander of the forces. He was at Portſmouth, in New-Hampſhire, when the charter arrived, and had diſpoſed his men upon the eaſtern frontiers, ſo as to cover the few inhabitants which remained there after the deſtruction of York. Captain Convers, with 15 men, was poſted in a garriſon houſe at Wells, called Storer's garriſon;* and about as many more were on board two ſloops, which went from Boſton with proviſions. About the 10th of June, the inhabitants were alarmed, by their cattle running home from the woods in a fright, and ſome wounded. This notice cauſed the ſeveral families to betake themſelves immediately to this one houſe, where they were ſcarce lodged, when an army of French and Indians, of three or four hundred, ſurrounded the houſe. A French officer, Labrocree, was commander, and Madockewando, Moxus, Egeremet and other noted Indian chiefs were under him. They firſt attempted the garriſon houſe; but having no cannon, they were repulſed and went to the ſloops. The river, where they lay, is not above 18 or 20 feet broad; but the banks ſhelve away ſo that they could 1692.

* Col. Storer, the preſent poſſeſſor, kept up the ſtockadoes, and one or more of the flankarts until ſince the year 1760, rather as a memorial than neceſſary defence.

We may obſerve here, that, in every frontier ſettlement there were more or leſs garriſon houſes, ſome with a flankart at two oppoſite angles, others at each corner of the houſe; ſome houſes ſurrounded with palliſadoes, others, which were ſmaller, built with ſquare timber, one piece laid horizontally upon another, and loop-holes in every ſide of the houſe; and, beſides theſe, generally in any more conſiderable plantation, there was one principal garriſon houſe, capable of containing ſoldiers ſent for the defence of the plantation and the families near, whoſe houſes were not fortified. It was thought juſtifiable and neceſſary, whatever the general rule of law might be, to erect ſuch forts, caſtles, or bulwarks as theſe upon a man's own ground, without commiſſion or ſpecial licence therefor.

1692. could not leap aboard. They ſet the ſloops on fire ſeveral times, with fire arrows, but the fire was as often extinguiſhed, and, after a variety of contrivances to ſhelter themſelves from the Engliſh ſhot, they gave over and returned to the garriſon, where they had no better ſucceſs. The women not only tended the men with ammunition and other neceſſaries, but many of them took their muſkets and fired upon the enemy. Very good terms were offered the garriſon, if they would ſurrender, but no regard was paid to them; an army of French and Indians were not to be truſted. Being drove again from the garriſon, they made a ſecond attempt upon the ſloops by a fire raft, which fortunately drove aſhore and broke, without any damage to the veſſels. Having ſpent eight and forty hours in this way, they withdrew, with the loſs of Labrocree, their commander, and ſome few of the men. In their retreat, they wreaked their malice, in torturing a poor Engliſhman, John Diamond, who was taken priſoner in paſſing from the ſloops to the fort, and in killing all the cattle they could find.

SIR William Phips was charged by his inſtructions to build a ſtrong fort at Pemaquid. This he performed the firſt ſummer, going down in perſon. The country in general diſliked it. They have been reproached for grudging at ſo ſmall an expence for their own ſafety;† but this was not the principal cauſe of their averſion to a fort here. It anſwered no other purpoſe than to keep poſſeſſion of that particular harbour, and was not convenient for a poſt for any marching parties, who from time to time were ſent out for diſcovery of the enemy, nor for the ſettlers of the frontiers to retreat to. The miniſtry, I think, had a view in it, which the people of the province ſeem not to have conſidered, viz. preventing the French from claiming Acadie as a derelict country, and perhaps taking poſſeſſion of it as ſuch. However, the fort was built and a very reſpectable one; and a garriſon maintained

† Diſcovery and ſettlement of the Engliſh in America in Harris's collection.

maintained there at the charge of the province. The French immediately formed a deſign, or proſecuted what was before deſigned, to poſſeſs themſelves of the place. Two ſhips of war, le Poli and l'Envieux, under Iberville, were to attempt the place by ſea, whilſt Villebone, with a body of Indians, did the ſame by land. The ſhips came late in the fall, and finding an Engliſh veſſel at anchor under the guns of the fort, and having no pilots, nor any body acquainted with the coaſt, they thought it prudent to retreat. The Indians had aſſembled in great numbers, and were very much diſſatisfied, depending upon driving away their troubleſome neighbours the Engliſh. The French, at Quebec, ſuppoſed theſe extraordinary preparations, which fruſtrated their attempt, were cauſed by the intelligence which two deſerters, who had been ſpirited away by Mr. Nelſon, gave to the authority in the Maſſachuſets, but this was a miſtake.* 1692.

WHILST the governor was at Pemaquid, building the fort, he ſent Major Church, the celebrated commander in Philip's war, with part of the forces to Penobſcot, and upon his return he ordered him to Kenebeck. Church took three or four priſoners and ſome plunder at Penobſcot, and diſcovered a great number of Indians; but for want of whaleboats could not purſue them. At Kenebeck, he burned a fort which the Indians had at Taconnick, and deſtroyed their corn, but neither killed nor took priſoners any of the enemy.

WE meet with nothing elſe memorable this year relative to the frontiers. The Indians had not been very active; they were ſenſible of their ill treatment from the French, who had often abandoned them, and it was the influence of the prieſts and the bigotry of the Indians to the romiſh religion, which prevented their forſaking the French intereſt and adhering to the Engliſh; beſides, the Engliſh had ſeveral of their principal people priſoners at Boſton, of whoſe redemption they were very deſirous, and had no hopes of accompliſhing it, except by a treaty of peace.

* Charlevoix, and Vol. I. Hiſt. Maſſ. p. 378.

1693. THE appointment of councellors, in the charter, was in conſequence of the nomination made by Mr. Mather, the agent. Perhaps he was well enough pleaſed, in the time of it, with having it in his power to diſtinguiſh his friends, ſome of whom he afterwards thought ungrateful to him; and thoſe who had formerly been in, and now thought themſelves injured, as ſoon as they were reſtored ſhewed their reſentment; and he uſed to ſay he had been more unkindly treated, from time to time, by the council than any other men in the province. The election, in May 1693, was the firſt opportunity the country had of ſhewing their own ſenſe of Mr. Mather's nomination. William Stoughton, Thomas Danforth, John Pynchon, Eliſha Cooke, Iſaac Addington, William Browne, Nathaniel Thomas, John Saffin, Francis Hooke and Charles Froſt, were elected councellors, (the ſix firſt named had been aſſiſtants, but were left out of the charter) and Simon Bradſtreet, Samuel Appleton, John Joyliffe, Adam Winthrop, Richard Middlecot, Joſeph Lynde, Samuel Hayman, Stephen Maſon, Thomas Hinckley and Job Alcot, were left out of the council. Stoughton, the lieutenant governor, had acted as a councellor all the year 1692, altho' there were twenty eight without him; the deputy governor uſed to be conſidered as an aſſiſtant under the old charter;* but it was now thought proper to chuſe him one of the twenty eight. They were not ſure of always having a lieutenant governor ſo agreable to the people as he was. The governor refuſed his conſent to Mr. Cooke. He had oppoſed, when he was in England, the appointment of the governor. He was however in real eſteem with the people, and the negative was impolitic.

REPEATED applications had been made for a naval force to be ſent from England, ſufficient in conjunction with

* The agents thought the caſe to be the ſame under the new charter. This was the reaſon why in the firſt draught the deputy governor as well as the council was to be annually elected by the aſſembly, when the governor was appointed by the crown.

with land forces to be raiſed in New England and New York, for the reduction of Canada, but without ſucceſs; other affairs of the war not permitting this, though deemed important, to be engaged in. In 1692, it was reſolved there ſhould be an expedition the next year.* A fleet was to be employed in the winter, in reducing Martineco, and, having performed that ſervice, was to go to Boſton, there to take on board a body of land forces under Sir William Phips, and ſo proceed to Quebec. Had Quebec been the only object, and reaſonable notice given to the colonies, there was reaſon to expect ſucceſs. By the fleet's going to the Weſt Indies, the whole deſign was blaſted. If ſickneſs had not weakned them, the force would ſtill have been inſufficient for the reduction of Martineco; but the mortality was ſo great, that before Sir Francis Wheeler, the commander in chief, came to Boſton with the fleet, June 11th, he had buried 1300 out of 2100 ſailors, and 1800 of 2400 ſoldiers. It may well be ſuppoſed the admiral had done with the thoughts 1693.

* "It has pleaſed the King, out of his great goodneſs and diſpoſition for the welfare of all his ſubjects, to ſend a conſiderable ſtrength of ſhips and men into the Weſt-Indies, and to direct Sir Francis Wheeler, the admiral, to ſail to New-England from the Caribbee iſlands, ſo as to be there by the laſt of May, or middle of June at fartheſt, with a ſtrength ſufficient to overcome the enemy, if joined and ſeconded by the forces of New-England. I mean ſuch a ſupply of ſhips, men and proviſion as may ſecure a conqueſt of Nova-Scotia and Canada, the only means to make New-England happy and ſecure hereafter. There never can be ſuch an occaſion for you to aſſiſt with your beſt perſwaſions, or for the people of New-England to ſhew their zeal for their religion and love to their king and country. His Majeſty has taken care, beſides the ſhips of war, to ſend you a thouſand experienced ſoldiers, if their number be not diminiſhed by their ſervice in the Weſt-Indies, under a commander who has looked the ſame enemy in the face, and will ſhew an example worthy to be followed. Sir William Phips, I ſuppoſe, will be at the head of the New-England volunteers, and will eaſily acquieſce, according to the rules of war, in leaving the chief command as his Majeſty has determined it."

Extr. from Blaythwait's letter to J. Mather, 20 Feb. 92-3.

1693. of the Canada expedition.† The land army, perhaps, might have been recruited, but a ſupply of ſeamen could not be obtained. Beſides, not the leaſt preparation had been made, he brought the news himſelf of his propoſed attempt. The letters, dated in February, the veſſel being by ſome means or other delayed or beat off the coaſt, did not arrive until July. In an affair of ſuch importance and in a time of war, notice might well have been expected by many different conveyances. Sir Francis ſettled, with the government, a plan for another year, viz. 2000 land forces to be ſent from England, and 2000 more to be raiſed in the colonies, the ſhips and forces from England to be at Canſo by the firſt of June, where the forces from the colonies were to be ready for them; the whole force to go up the river, there to divide, and attack Montreal and Quebec at the ſame time. Conſidering the ſtate Canada was then in, this ſeems to have been no injudicious plan. A rendezvous at Boſton would have been known at Quebec, by perſons from the frontiers, before a fleet could have gone up the river. With Canſo (Cape Breton not being then ſettled) the French in Canada had leſs communication: The whole force going up the river was not leſs judicious. Former and later attempts have ſhewn, how uncertain the mutual aid would have been, of an army up the river and another marching within land.

THE diſtemper, which had been in the fleet, ſpread in Boſton and was more malignant than ever the ſmall pox had been, or any other epidemical ſickneſs which had been in the country before; and many families left the town & reſided in the country, until the infection ceaſed.

THE moleſtations upon the frontiers, this year, were not very great. Preparations were made for carrying on the war. Captain Convers, who had behaved well, was appointed with a Major's commiſſion, to the command of the forces eaſtward. With a ſmall army, of 4 or

† He aſked the opinion of the governor and council, whether they thought the ſtrength he then had was ſufficient, and they gave their opinion that it was not.

4 or 500 men, he marched to Taconick, on Kenebeck, 1693.
but met with none of the enemy, except one party which he ſurprized, not far from Wells. On his return, he made ſome ſtay at Saco river; and about two leagues up the river, on the weſtern ſide, near the falls, a very proper ſtation, he built a ſtone fort, an irregular pentagon with a tower. This was in the heart of the Indians hunting ground, at that time, and was thought to have accelerated a treaty of peace. An apprehenſion prevailed among them, at the ſame time, that the Iroquois, inſtigated by the Engliſh, would fall upon them.

THURRY, a French miſſionary at Penobſcot, ſpared no pains to prevent it, but they were ineffectual. The Indians ſued for peace, and the Engliſh were glad of a reſpite from war. Pemaquid being appointed for the place of treaty, on the 11th of Auguſt the articles were ſigned, and hoſtages delivered by the Indians, as a ſecurity for their fidelity. This ſecurity could not be obtained from them in later treaties. It was ineffectual at this time.

CHARLEVOIX has not truly repreſented this tranſaction. He may have been miſinformed, by the Indians who have always kept from the French, as far as they could, the ſubmiſſions made to the Engliſh. He ſays, Sir William Phips had engaged a few of the Abenakis to a ſort of an accommodation, and that two of their chiefs, in the month of May, had promiſed that they would conclude upon articles of peace, and gave two hoſtages for the performance of their promiſe, and that Phips came in perſon to Pemaquid to have finiſhed the affair, if de Villieu, a French officer, had not, by his diligence, prevented; for being ſeconded by the prieſt Thurry, he found out the ſecret of recovering Madockewando, who had declared in favour of the Engliſh, and prevailed upon him to raiſe 250 men and make a deſcent upon Piſcataqua river 36 miles from Boſton, Charlevoix has brought the treaty, made in 1693, into 1694, and by calling it only a propoſal for a treaty, has given

1693. given a gloſs to the whole affair, and extenuated the perfidy of the Indians in their hoſtilities, ſoon after, and the guilt of the prieſt in exciting them.

UPON the weſtern frontiers, in the ſummer of this year, the Indians, led on by the French, made what the latter call *la petite guerre* upon our new ſettlements, but forces conſtantly kept up, prevented any remarkable deſtruction.

WHILST the government had their hands and hearts full, in providing for their own defence, they were called upon to provide their quota of men for the defence of New-York. Mr. Stoughton, in Sir William's abſence eaſtward, excuſed the province from concerning itſelf therewith, in a letter to Lord Nottingham, Oct. 20. 1693.

"I Crave leave further to acquaint your Lordſhip, that "the governor of New-York having written unto "his Excellency the governor here, ſignifying his ap- "pointment of a meeting at New-York, upon the firſt "wedneſday of this month, of commiſſioners from the "ſeveral governments of New England, Virginia, &c. to "concert and agree upon a certain quota of men and "money for the defence of Albany, &c. in obſervance "of their Majeſties commands; it hap'ned to be at ſuch "a time and under ſuch a conjuncture of affairs here, "that no meet perſons could be procured to attend that "congreſs. Much may be ſaid to excuſe this province "from contributing towards the charge of maintaining "and defending the frontiers belonging to New-York, "being at ſuch a conſiderable diſtance from the fron- "tiers of this province far more large and expoſed, "which have been defended and maintained at their own "charge, and many thouſand pounds more ſpent in the "ſupport and defence of New-Hampſhire. Were the "whole account of the charge of the war to be pro- "portioned among the ſeveral colonies, it would plainly "appear, upon a right computation, that we have not "been ſo forward to complain of the burden as ſome of

"our

our neighbours; but it is hoped a true and impartial 1694.
representation of this matter will apologize for us unto
their Majesties, that we be not included in the charge
at New-York." *

Sir WILLIAM PHIPS's rule was short. His conduct, when captain of a ship of war, is represented very much to his advantage; but further talents were necessary for the good government of a province. He was of a benevolent, friendly disposition; at the same time quick and passionate. A close attachment to his friends engaged him in a dispute with the collector of the customs; and provocation, both from the collector and the captain of a man of war, caused him to break out into some indecent sallies of passion and rage, and to treat both of them in such a manner as was dishonorable to him. Mr. Brenton, a young gentleman of a principal family in Rhode-Island government, had been appointed collector for the port of Boston. This was before the establishment of custom-houses in the plantations by act of parliament. The people thought it enough to enter and clear at the naval office, and questioned the authority of the collector.† The

* A new apportionment was made in 1700, in which Massachusets and New-Hampshire were left out. Neither of them had the intended effect. New-York had suffered greatly by the destruction of Schenectady, and Albany was thought to be in danger. These apportionments were, principally, for the sake of that province. The next war, they provided for their own security, by a neutrality which carried the whole force of the enemy upon their neighbours.

† Under the first charter the acts of trade had not been duly regarded. In 1681 Edward Randolph came over with a commission as collector. Soon after the general court passed a law for erecting a naval office, which Randolph represented as done in opposition to him. After the charter was vacated, divers vessels from Malaga, &c. were seized and condemned for illicit trade, and Randolph makes no complaint of being impeded in the execution of his office during that time; but upon his return to England after the revolution he gave in a list of near 30 vessels which had been guilty of breaches of the acts of trade, and

1694. The governor being the naval officer, and acting by his deputy, did not discountenance this opinion of the people. A vessel arrived from the Bahama-islands, with a load of fustick, for which no bond had been given. Col. Foster, a merchant of Boston, a member of the council, and fast friend to the governor, bought the fustick, at such price that he was loth to give up the bargain. The collector seized the vessel and goods; and upon Foster's representation to the governor, he interposed. There was at that time no court of admiralty. By the charter, the King reserved admiralty jurisdiction, but no court had been constituted. I have a manuscript, sent at that time to England, which says, the governor imagined, that, by virtue of his commission for vice-admiral, he had a right to sit as judge, and that he condemned several prizes, and, among the rest, the St. Joseph, brought in by a privateer of the Leeward-islands, which the captain would have carried thither for condemnation, but was not permitted. Be this as it may, it is certain that Sir William took a more summary way of deciding this case,

and prayed that he might be restored to the office of collector; and the agents were required by the Lords of the council to make answer. They denied the fact as to many of the vessels, and exculpated the government as to the rest, alledging that the general court had declared that they would strictly observe the acts of trade, and, that none might plead ignorance, had ordered them all to be published. Sir William Phips appointed one Benja. Jackson naval officer. The sense of the people upon the office of collector will appear from the following extract of a letter to the agents.

"Mr. Brenton, their Majesties collector, has been endeavouring to impose upon the government, by obliging all masters of ships and other vessels to enter and clear with him, thereby burthening the people with unnecessary and unreasonable fees, of which complaints have been frequently made. We do not find any act of parliament requiring the same, there being nothing of the growth or produce of this province from whence any customs arise, and the governors of the several plantations are especially injoined by law to take care that the acts of trade and navigation be duly observed, under a severe penalty for their neglect."

Letter to H. Ashurst and C. Phips, Feb. 21. 1692-3.

aſe, and ſent an order to the collector to forbear med- 1694.
ling with the goods; and, upon his refuſal to obſerve
rders, the governor went to the wharf, and after warm
ords, on both ſides, laid hands upon the collector, but
ith what degree of violence was controverted by them.
he governor prevailed, and the veſſel and goods were
aken out of the hands of the collector.

THERE had been a miſunderſtanding alſo between
he governor and captain Short, of the Noneſuch frigate.
n their paſſage from England, a prize was taken; and
hort complained that the governor had deprived him of
art of his ſhare or legal intereſt in her. Whether there
ere grounds for it, does not now appear. The captains
f men of war, ſtationed in the colonies, were in thoſe
ays required to follow ſuch inſtructions as the governors
ave them, relative to their cruizes and the protection of
he trade of the colonies, and the governor, by his com-
iſſion, had power, in caſe of any great crime committed
y any of the captains of men of war, to ſuſpend them,
nd the next officer was to ſucceed. The governor re-
uired captain Short to order part of the men belonging
o the Noneſuch upon ſome ſervice, which I do not find
entioned, probably to man ſome cruizer, there being
any pickeroons about the eaſtern coaſts, but he refuſed
o do it. This was ill taken by the governor; and
eeting captain Short in the ſtreet, warm words paſſed,
nd at length the governor made uſe of his cane and
roke Short's head. Not content with this, he commit-
ed him to priſon. The right of a governor, to commit
y his own warrant, had not then been queſtioned.
rom the priſon he removed him to the caſtle, and from
ence on board a merchant veſſel bound to London, to
e delivered to the order of one of their Majeſties prin-
pal ſecretaries of ſtate; giving the maſter a warrant or
uthority ſo to do. The veſſel, by ſome accident, put
to Portſmouth in New-Hampſhire. Sir William, who
ems to have been made ſenſible of ſome irregularity in
eſe proceedings, went to Portſmouth, required the
maſter

1694. maſter of the merchantman to return him the warra which he tore to pieces, and then ordered the cabin the ſhip to be opened, ſecured Short's cheſts, and e amined the contents. Short was prevented going ho in this veſſel, and went to New-York, to take paſſa from thence for England; but Sir F. Wheeler arrivi ſoon after at Boſton, ſent for him and carried him hom with him. The next officer ſucceeded in the comman of the ſhip, until a new captain arrived from Englan Short was reſtored to the command of as good a ſhi Brenton's complaint was made to the Lords of the treaſur about the ſame time, and referred to the board of trad and both came before the King, who was ſollicited imm diately to diſplace the governor. This the King refuſe to do, without hearing what he had to ſay in his defence and he was ordered to leave his government and make a ſwer in England. The governor's friends in New En land, excuſed him by the great provocation he receive both from the captain of the man of war and the collecto This would ſerve better to excuſe a private perſon, tha the governor of a province. The prejudices were gre againſt him in England. Mr. Dudley, who was upo the ſpot and deſired to ſucceed him, heightened them There was a ſtrong party againſt him alſo within th province. By negativing Mr. Cooke, he had made man of thoſe who had oppoſed all meaſures, except the reſto ration of the old charter, to be his enemies. Dudle had been trying to reconcile himſelf to his countrymen ever ſince the revolution: He had great family intereſt Stoughton, the lieutenant governor, retained his friend ſhip, and ſecretly correſponded with him, and was ver cold in Sir Williams's intereſt.* They who had bee

* "In my laſt I incloſed the copies of ſeveral complaints again your governor, Sir William Phips. I am ſorry to ſee you weak ned by your own hands, and thoſe friends among yourſelve that deſign the intereſt of the country ſo little agree in th means and manner of doing it. You are reproached here that your governor is of one opinion, your deputy governo

n favor of the charter were for him. They were 1694.
he moſt numerous, but not moſt active and zealous. The private letters, ſent to England, were generally againſt him. He had a hard taſk to keep a majority of the general court in his favor. An addreſs was propoſed and carried in the houſe of repreſentatives, humbly praying his majeſty, that the governor might not be removed; but of 50 members preſent, 24 voted againſt it.† The non reſident act was not then in force; and it appeared, that moſt of the inhabitants of Boſton, who repreſented towns in the country, were againſt the addreſs. The party in favor of the addreſs, to prevent further trouble if there ſhould be further occaſion for any thing to be done in favor of the governor, brought into a bill, which was then before the houſe, a clauſe reſtraining towns from chuſing any perſon to repreſent them in the general court, other than freeholders and reſidents within ſuch towns. This proviſion is generally looked upon as a privilege, and a point gained by the people; but it certainly was occaſioned by what is commonly called the prerogative party in government, and however ſalutary, was deſigned as an abridgment of liberty.‡ Sir William left Boſton the 17th of November.

AN

of another, and that the negative voice is uſed to keep out a third perſon from your council; and yet you all ſeem to deſign the ſame end. By theſe meaſures, your enemies get ground of you, and laugh and ſcoff at you." *Letter from Sir H. Aſhurſt, Jan.* 30. 1693-4.

† M S.

‡ "It was very ſurprizing to me to ſee the laborious methods taken to obtain an addreſs from the general aſſembly here, for the continuance of Sir William in the government. The oppoſers were gentlemen, principally of Boſton, who were too near Sir William to think well of him, but ſerved in the houſe for ſeveral towns and villages, at ſome diſtance, where ſome of them were born, and others had their eſtates and improvements above any dwellers in the place for which they ſerved. To be rid of them all at once, a bill was brought in, or rather a clauſe brought into a bill, that no man whatſoever ſhould

ſerve

1694. AN injudicious uſe of power produced, what were judged by the crown neceſſary regulations, ſooner than perhaps they would otherwiſe have been made, viz. the eſtabliſhment of a judge of admiralty,† powers to the officers of the cuſtoms, and the oath to the governors by the 7th and 8th of William; and the remembrance of this together with other acts of plantation governors, might alſo cauſe the power over the ſhips of war to be taken from them, although it was ſuffered to continue ſome years after this time.

THE

ſerve in the houſe of commons for any town, unleſs where he did at that time live and dwell, which paſſed with the diſſent of 24, the whole houſe conſiſting of 50, and with ſome heat in the upper houſe. Sir William hereupon ruſhes into the houſe of commons and drives out the non reſidents, and I am miſtaken if either for eſtates or loyalty they left any of their equals in that houſe." *Letter to London, Nov.* 1. 1694.

Douglaſs whoſe foible it was to ſpeak well or ill of men very much as he had a perſonal friendſhip for them, or had a perſonal difference with them, of which I may inſtance more eſpecially in his moſt elaborate endeavors to ſet Mr. Shirley in a diſadvantageous light, his labored encomiums of ſeveral I chuſe to avoid mentioning, becauſe for ſome of them he had other foundation, had taken up a prejudice againſt the two Mathers, father and ſon, and remarks upon the occaſion of this act. "It is ſaid that anno 1693, there were ſome Boſton gentlemen repreſentatives for ſome of the out towns, but not agreable to the reverend I. Mather. Mr. Byfield for Briſtol is mentioned. Mr. Mather of great intereſt with the weak governor Phips and with the devotionally bigotted houſe procured this act."

† "I find great offence taken at your governor Phips, for beating the captain of the man of war there for not yielding his ſhip men to the governor's command elſewhere. My ſon ſeems to apprehend him a perſon not competent to be a governor, for ſo doing; and, as a commiſſioner of the admiralty, ſeems to indulge the captain's complaint, and reflect upon the governor as an act miſbecoming his poſt. I fear the conſequence of this prejudice againſt the governor by our admiralty commiſſioners eſpouſing the captain's intereſt againſt him, which I doubt will be; and my ſon ſeems to reflect upon the whole plantation, for chuſing a governor of no better principles or practices than to forget himſelf ſo far as to cane or ſtrike a commiſſion officer, none of his

THE government falling into Mr. Stoughton's hands, upon Sir William's leaving the province, ſeems to have been adminiſtred by him to good acceptance in England, and to the general ſatisfaction of the people of the province. The rule of a Lieutenant Governor it is expected will be ſhort; it is ſcarce worth while to form parties againſt him within the government; and if there ſhould be any miſrule, which requires check or cenſure from England, it is of leſs conſequence, his authority being ſo ſoon to be ſuperſeded. This is not the only reaſon why the adminiſtration of Mr. Stoughton and one of his ſucceſſors, Mr. Dummer, have been generally well ſpoken of. They had each of them ſpent ſome time in England; and better knew what conduct would be approved of there; they were well acquainted with the tempers of their own countrymen; each of them, very prudently, rather aimed at an eaſy quiet adminiſtration, than at any thing great and ſtriking; conſidering themſelves as at helm, to keep the ſhip in its ſteady courſe; they ſeldom relied wholly upon their own judgments, acting in the moſt common affairs by advice of council, which ſerved as a juſtification of any meaſures which might be unpopular, or in which there might be any miſtake, and yet took not away the credit of ſuch as proved to be well judged, and were generally applauded. At the firſt election, Mr. Cooke being choſe of the council, although he had ever been of the party oppoſite to the lieutenant governor, yet he approved of the choice. 1694.

THE treaty, laſt year, at Pemaquid, had produced near a twelvemonth's quiet to the frontiers. The French did not intend it ſhould laſt ſo long. They kept the Indians from reſtoring the priſoners according to their engage-

his, which will much provoke the admiralty to ſend a judge thither, of and for the admiralty, not the governor to take his poſt." *Sir Nath. Rich to I. Mather, London, Jan.* 25. 93-4.

Sir. N. Rich probably miſunderſtood his ſon; the immediate motive to the appointment of a judge of admiralty was not the caning of the captain, but the governor's improper uſe of admiralty power.

1694. ments. The hoſtages were no ſecurity whilſt the Indians had a much greater number of the Engliſh in their power. New hoſtilities therefore were every day expected. At length, the 18th of July, they fell with fury upon a village at Oyſter river, in New-Hampſhire province, killed and carried away 94, ſome accounts ſay about 100 men, women and children. This was a heavy blow. The Engliſh repreſent the enemy as a very great army. Charlevoix ſays there were 250 of Penobſcot and St. John's Indians, beſides ſome of father Bigot's miſſion,* and only one Frenchman. He adds, that 230 Engliſh periſhed. His account, of the number of the enemy, is moſt to be depended upon; and our account, of the loſs we ſuſtained. Madockewando, a Penobſcot, who was the head of the party, went with the body of his countrymen to Quebec, and preſented the ſcalps to Frontenac, the governor of Canada.† We hear nothing of priſoners. Toxus, the Norridgewock chief, with about 40 of that tribe, marched along towards Merrimack river. In their way, after an unſucceſsful attempt upon the houſe of one Blackford, they murdered Mrs. Cutt, the widow of preſident Cutt, and three of her people, at her farm houſe. Having croſſed Merrimack, on the 27th of July they fell upon Groton, about 40 miles from Boſton. They were repulſed at Lakin's garriſon houſe, but fell upon other houſes, where the people were off their guard, and killed and carried away from the vicinity about forty perſons. Toxus's two nephews were killed by his ſide, and he had a dozen bullets through his blanket, according to Charlevoix, who adds, that he carried the fort or garriſon and then went to make ſpoil at the gates of Boſton; in both which facts the French account is erroneous.

In Auguſt, ſome ſtragglers killed ten or eleven perſons at Spruce creek and other parts of Kittery, and knocked in the head, ſcalped and left for dead a little girl named Downing, about 7 years old, who was found alive the next morning, and lived many years afterwards; and

* Norridgewocks. † Charlevoix, lib. 15.

and September the 4th, Joſeph Pike, a deputy ſheriff, 1694.
and another perſon with him, were ſhot down between Almſbury and Haverhill.

AFTER all theſe outrages, Bomazeen, a noted Norridgewock chief, one who had ſigned the treaty at Pemaquid, and yet was afterwards a principal actor in the carnage upon the Engliſh, came ſtrait to Pemaquid with a flag of truce, pretending he came from Canada with ſeveral more who were in company with him, and that he was very ſorry for what had happened.* The commanding officer at the fort conſidered them as rebels, and ſent them to Boſton, after a promiſe or encouragement given them of ſafety. The French called this Engliſh

* "November 19. Bomazeen, with ten or a dozen Indians, called over the barbican, deſiring to ſpeak with Capt. March, and ſet up a flag, by which they did implicitly own themſelves enemies and breakers of the peace. We did not put out our's until an hour or two after their's; would have perſuaded them there was no reaſon for it, that flags were uſed between enemies in time of war, not friends in time of peace; minding them of the late agreement at Pemaquid; but they called earneſtly for it. We reſolved to ſeize Bomazeen at any rate, except poſitive violation of promiſe. We made no other promiſe, before he came over, but that he ſhould be welcome, we ſhould be glad of his company, would treat him kindly, and do him no hurt. After he was ſeized, we told him the ſame, and obſerved it punctually, ſo long as he ſtaid here; but withal told him we muſt know who did the miſchief at Oyſter river and Groton, &c. of which they made themſelves ignorant; why the peace was ſo ſoon broken and by whom; that they muſt go to Boſton and abide there till Sheepſcote John was ſent to fetch in the other Sagamores, and then they ſhould come again with ſome of the Engliſh to treat, &c. We thought it not unlawful, nor culpable to apprehend ſuch perfidious villains and traitors (though under a white rag) that have ſo often falſified their promiſe to the Engliſh, viz. at Cocheco, at Caſco fort, at Oyſter river and other places; that make no conſcience of breaking the peace whenever it ſerves their turn, although never ſo ſolemnly confirmed with ſubſcriptions and oaths. They have no regard to the law of nations, and therefore deſerve no human reſpect. Beſides, we are credibly informed, they came with a certain deſign to betray their Majeſties fort here, under pretence of trade.

1694. treachery. † The government of the Maſſachuſets ſuppoſed, that for their perfidy they were to be treated as land pirates and murderers. Be it ſo, yet the public faith given to them is not to be violated. This is one of thoſe actions which have cauſed the Engliſh to be charged with injuring the Indians and provoking them to all the cruelties which have been committed, as a juſt return. I do not undertake to juſtify it; but think, that inſtead of impriſoning Bomazeen and the reſt for ſeveral months at Boſton, they ought to have been ſet at liberty, whether we conſider the affair in a moral or political view. I know of no other action of this ſort which can be juſtly charged upon the government. ‡ We ſhall be obliged to relate more unjuſtifiable actions of ſome particular inhabitants.

SIR William Phips, upon his arrival in London, was ſued, by Dudley and Brenton, in actions of twenty thouſand pounds damage. Sir Henry Aſhurſt bailed him. What were the grounds of Dudley's action does not appear. Sir William urged in his defence againſt Brenton, that there was no cuſtom-houſe eſtabliſhed in the plantations by act of parliament, and that Brenton had no authority to compel maſters to enter and clear with him; the naval officer, then known and eſtabliſhed by act of parliament, being the only proper officer for that purpoſe.

CAPTAIN

trade, friendſhip, &c. and ſo they are fallen into a pit of their own digging. Neither did we aim at any thing more than their detainment as priſoners, ſuppoſing ſome advantage might accrue to the poor captives, if not the country thereby. If your honours judge it not fairly done, they are now in your hands to diſpoſe of and deal with them as may be for their Majeſties honour, and as the circumſtances of the caſe require." *Letter from John Pike to Gov. & Council, Pemaq. 7 Jan.* 1694.

† Charlevoix.

‡ Mention is made of a deſcendant of D'Aulney, governor of Acady, who ſcattered a mungrel breed in that part of the country, and ſeveral others coming in to Saco, at the ſame time Bomazeen came to Pemaquid, and, Charlevoix ſays, they were all killed; but I can find nothing of it in any Engliſh accounts or papers.

CAPTAIN Short exhibited no articles in form. Sir William's friends in New-England ſuppoſed his affairs in England would have been all accommodated, and that he would have returned in a ſhort time to his government, if death had not prevented. He laid his arreſt ſo much to heart, that it was ſuppoſed to have brought upon him or increaſed the ſickneſs of which he died the 18th of February, 1694-5. 1694.

AFTER Mr. Mather and the other agents, who ſollicited the ſettlement of the government, left England, Sir Henry Aſhurſt, alone, appeared as agent. In 1693, Conſtantine Phips (afterwards Lord Chancellor of Ireland) was joined with Aſhurſt, and both inſtructed by the general court. They were both of them friendly to Sir William.

MR. Dudley had been making friends with a view to ſupplant the governor while he was living; and, upon his death, ſollicited for the government with freſh vigor and application.* Without loſing his old friends, he ſucceſsfully applied himſelf to bring over ſome who had been his violent enemies. He recovered the favor of many of the miniſters in New England, and recommended himſelf, by a grave ſerious deportment, to the diſſenters in England; whilſt, at the ſame time, by his good ſenſe and polite behaviour, he acquired the notice and eſteem

* "Mr. D —— thought himſelf as ſure of being governor, as you are of my friendſhip. He had laid it with the D. of Leeds, Sidney, Blathwait and my Lord Cutts, who hath made Portland entirely for him, and the matter ſettled, and poor Sir William Phips arreſted in an action of £. 20,000, by Mr. D.'s and Mr. B.'s affidavits, for which I was bail. I have been oppoſing your grand enemies, who have got all thoſe letters to recommend him from your miniſters. I hope he will trouble you no more. The reverſing of Leiſler's attainder hath I hope a train of good conſequences. I ſhall never do N. England ſo much good, as by getting this bill paſſed. I hope the door is nailed againſt him, and you will have the Earl of Bellamont governor. I could not believe what Sir William Phips told me of Mr. Stoughton and Mr. Addington. I perceive I had wrong notions of things." *Sir H. Aſhurſt's lett. to Mather, 5 May, 95.*

"I

1694. of many conſiderable perſons at court. His income was very moderate; and yet, with œconomy, he made a decent appearance in England, and gave ſeveral of his children education there, whilſt the reſt of his family was ſupported by him in New-England. A vacant government had divers candidates, but it looks as if he would have carried it from the reſt, if it had not been for the oppoſition made by the two agents for the province, Aſhurſt and Phips, who were obliged to urge againſt him the ſhare he bore in the trial and condemnation of Leiſler at New-York; and, for the ſake of laying open that affair to the prejudice of Dudley, they both of them promoted a bill in the houſe of commons, of which Aſhurſt was a member, for reverſing Leiſler's attainder. Mr. Dudley could ſtand it no longer, and withdrew his ſollicitations for that time; and ſoon after, by the intereſt of Lord Cutts, obtained the place of lieutenant governor of the Iſle of Wight, of which his Lordſhip was then governor. From that time, Lord Bellamont was looked upon as the governor of Maſſachuſets-Bay, although he was not actually appointed until the next year.

THE acts of trade had been very little regarded in any of the colonies. Bucaniers or pirates, who in times of peace made their depredations upon Spaniſh ſhips and ſettlements in America, were very numerous. They brought their plunder chiefly to New-York, and ſome to other colonies. With a view to put a ſtop to theſe miſchiefs,

"I drew a bill for reverſing the attainder of Capt. Leiſler, Mr. Milburn and Mr. Governeur, which paſſed the Lords without oppoſition; but when it came to the Commons, Dudley, having notice of it, made all the oppoſition to it imaginable, which was the thing we deſired; for by that means, we had ſeveral hearings before a full committee of the Commons, and had the opportunity of giving a full account of thoſe proceedings, and letting the world ſee how great a part he acted in that tragedy. Since that, he is not ſo much as talked of to be governor, but the three competitors are, the E. of Bellamont, Major Bremin and Col. Layton; and I believe my Lord Bellamont is the moſt likely to have it." *Conſt. Phips to I. M. May* 5. 95.

miſchiefs, the Earl of Bellamont was pitched upon as 1694.
the moſt proper perſon for the government of New-York, † and, probably, to make the appointment worth accepting, as well as to render the other purpoſes more effectual, Maſſachuſets-Bay and New-Hampſhire were put under the ſame perſon.

THE year 1695 paſſed away, with leſs moleſtation 1695.
from the enemy, than any year ſince 1688. In the ſpring, they killed one of the ſoldiers belonging to Saco fort and carried another away captive. A mortal ſickneſs prevailed among the Indians, and the French found it impracticable to ſend them out in parties upon our frontiers. Their attachment, one to another, equals that of more civilized nations. Beſides the hoſtages they had given in 1693, the Indians, ſeized at Pemaquid, were in the priſon at Boſton; Bomazeen, in particular, they greatly valued, and they were ready to ſubmit to almoſt any terms, to obtain their relief. The French repreſent the Engliſh as treating the hoſtages and priſoners with cruelty; but there was no other cruelty than a confinement in a priſon in Boſton, which it muſt be acknowledged was a very bad one. The Engliſh were

† "It is well known, that, for ſeveral years, two very pernicious things have been growing in our American colonies; an unlawful trade, in fraud of the acts of navigation, infinitely prejudicial to England, and the curſed practice of piracy utterly deſtructive of all commerce. In the beginning of the year 1695, his Majeſty thought fit to name the Earl of Bellamont to be governor of New-York, a place remarkably infected with thoſe two dangerous diſeaſes. The Earl has often told me, that what the King ſaid to him, when he firſt let him know his pleaſure, was that, which principally induced him to accept of the employment. His Majeſty did him the honour to ſay, he thought him a man of reſolution and integrity, and, with thoſe qualifications, more likely than any other he could think of to put a ſtop to that illegal trade, and to the growth of piracy; for which reaſon he made choice of him for that government, and for the ſame reaſon intended to put the government of New-England into his hands."

Account of proceedings in relation to Capt. Kidd, Lond. 1701.

1695. not leſs deſirous of peace than the Indians, if they could have had any ſecurity for the continuance of it. One of the hoſtages, Sheepſcote John, undertook to go from Boſton as a mediator, and, by his influence, fifty canoes of Indians came within about a league of the fort at Pemaquid, the 20th of May, and ſent in eight captives; acknowledged their fault in violating the laſt treaty, and propoſed the releaſe of captives on both ſides, and the eſtabliſhment of a durable peace. A truce of 30 days was agreed upon; and commiſſioners were to come from Boſton, to ſettle the terms of the peace. The commiſſioners, Col. Phillips, Lt. Col. Hawthorn and Major Convers, ſoon after, met delegates from the Indians at Pemaquid, but refuſed to enter upon any treaty with them until all the Engliſh, in their hands, ſhould be delivered up. Bomazeen, their great warrior, and ſome others, were left in priſon at Boſton. The Indians looked upon themſelves not well uſed; ſenſible, that when they had parted with all their priſoners, they ſhould have no way of obtaining the releaſe of their own people, except by a new ſet of captives. They therefore refuſed to treat any further, and left the place abruptly. The government, I imagine, expected that, by retaining ſome of the Indians as hoſtages, ſome reſtraint would be laid upon the reſt, from exerciſing cruelty towards Engliſh priſoners, ſeeing we ſhould have it in our power to retaliate it upon their own people; and choſe rather to riſk the continuance of the war than part with this ſecurity.

CHARLEVOIX, who ſuppoſes the lieut. governor, Stoughton, to have been there in perſon, ſays, "the "Abenaquis inſiſted upon the releaſe of their brethren, "who were detained in violation of the flag of truce "and the laws of nations, and Stoughton only returned "bloody reproaches for their late hoſtilities, and terri- "ble threats if they did not deliver up the authors of "them. The Indians were as ſtout as he was. At "length, both ſides began to ſoften. Stoughton was

"not

"not willing to drive to extremity a people, who had 1695.
"formerly known how to make themſelves a terror.
"They were deſirous, at any rate, of recovering their
"relations out of the hands of the Engliſh; being fully
"determined, that when they had accompliſhed their
"ends, they would revenge the blood of ſuch of them
"as had been murdered; but perceiving that, whilſt
"they were in treaty, the Engliſh were preparing to
"ſurround them, they ran to their arms."——This, no doubt, was the account they gave to their prieſt, when they returned home.

IMMEDIATE notice was given to the frontiers to be upon their guard, but this did not prevent ſpoils upon divers places. In July, Major Hammond of Kittery was taken priſoner and carried to Canada, but, being above the ordinary rank of the Indian captives, he was very kindly uſed by Count Frontenac, the governor; and ſoon returned in a veſſel which went from Boſton for exchange of priſoners. In Auguſt, they killed and took fifteen at Billerica, and plundered the houſe of —— Rogers, and ſoon after ſurprized and killed the ſerjeant of Saco fort. In September, they killed four, and wounded ſix, belonging to Pemaquid fort. In October, they came upon the houſe of John Brown of Newbury, and carried away nine perſons; but being purſued and overtaken, in the night, by a party under Capt. Greenleaf, they firſt tomahawked all their priſoners, which effectually prevented them from joining the purſuers, and then took to their heels and eſcaped. Some of theſe unhappy priſoners lived ſeveral months, and ſome, more than a year; but all, finally, died of their wounds, except a lad who happened to be wounded in the ſhoulder, and not in the head, as the reſt were.

THE winter of 1695 proved a time of reſt to the frontiers. Their only fears, in winter, were from an army or large body of the enemy, ſufficient to reſiſt any force, which could be collected before they had done their miſchief, and had time for a retreat. Small parties would be in

hazard,

1696. hazard, when they could be tracked upon the ſnow. The ſpring of 1696 opened as uſual. In May, a poor fellow, who had been a captive before, and made his eſcape, was killed at Cocheco. In June, three women, ſiſters, going with their huſbands from York to Wells; one of them, wife of Thomas Cole, with her huſband were ſhot down, the others eſcaped. In the ſame month, ſeveral houſes were burnt by the enemy, within the limits of Portſmouth; twelve or fourteen of the inhabitants were ſlain, and four taken priſoners. One woman was ſuppoſed to be left dead, and her ſcalp was carried to Canada, as the evidence of it; but thoſe, who went out to bury the dead, finding her alive, carried her home, and ſhe recovered. The Indians, generally, are content with a piece, not larger than the palm of the hand, from the top of the crown; and, if it was not for the blows of the tomahawk, many might have ſurvived the operation of the knife. Some who have loſt the ſkin, from the whole crown, have recovered and lived many years.

In July, they attacked Cocheco again, a plantation which often ſuffered; killed three of the inhabitants, as they were going home from publick worſhip, wounded three more, and carried other three away priſoners to Penobſcot.

We have taken no notice of Nova-Scotia, although included in the bounds of the Maſſachuſets charter; the inhabitants in general, for ſeveral years having been under the power and command of the authority ſent from France: But, this year, the affairs of that and the other parts of the government are more interwoven

After the conqueſt of that province, by the Maſſachuſets colony in 1690, the French in Europe gave themſelves but little concern about the recovery of it, and the Engliſh as little about its preſervation or ſecurity. The Maſſachuſets were unable to bear the charge of a ſufficient military force, to keep the inhabitants in ſubjection. They gave commiſſions to judges, juſtices and other officers, and required oaths of fidelity; and, in 16

gave power and authority to Mr. Nelſon, who was bound there from Boſton upon a trading voyage, to be commander in chief in Acadie; but when he came near the river St. John's, he was taken by Monſ. Villebon, who, having a commiſſion from the French king, had been in to Portroyal and ordered the Engliſh flag to be ſtruck and the French flag to be hoiſted there, but intended to make St. John's the place of his reſidence, and took poſſeſſion of it, where he carried on great trade with the Indians, ſupplying them with warlike ſtores, proviſions, &c. without which they could not have carried on the war. In 1692, ſoon after Sir William Phips's arrival, an attempt was made by the province, with a ſmall naval force, to remove Villebon; but it proved unſucceſsful. In 1695, Capt. Eams, in his Majeſty's ſhip Sorlings, was ſent from Boſton to intercept the ſtores with which Villebon, every ſpring, had been furniſhed from France; but the French ſhip happened to be of greater force than uſual, and, after an engagement at the mouth of the river, Eams was glad to retreat. It ſeems that, until now, the Maſſachuſets looked upon themſelves as in ſome ſort of poſſeſſion, and that there had not been an entire revolt of the whole province; for, this year, the general court, from a ſenſe of their inability to protect it, petitioned the crown that the province might be freed from any further expence in the defence of Portroyal or St. John's, and that garriſons might be kept in both thoſe places, at the charge of the nation. This, perhaps, might be deemed a refuſal to exerciſe juriſdiction over that part of the province, and a renunciation of their right; and, accordingly, after the treaty of Utrecht, when poſſeſſion was returned to the crown, it was ſettled a diſtinct province; otherwiſe, *jus poſtliminii* might have taken place, as well with reſpect to the rights of a body corporate, as thoſe of particular perſons. 1696.

THE diſappointment, laſt year, which the Sorlings, a ſingle ſhip, met with, occaſioned the force to be doubled this year, to effect the like purpoſe. Capt. Paxton, in

the

1696. the Newport, came to New-England in company with the Sorlings,* and both ſhips were ordered, together with a yacht or tender in the province ſervice, to lay off the river St. John's, to wait the arrival of the ſtoreſhip. It happened, unfortunately, that the French at Quebec were, at the ſame time, fitting out two men of war, with the addition of two companies of ſoldiers and fifty Michmack Indians, in order to reduce the New-England fort at Pemaquid. Theſe ſhips were of ſuperior force to the Engliſh ſhips, and Iberville, † an experienced officer, commanded. When they had put into a port upon their paſſage, Villebon, from St. John's, informed them of the ſituation and circumſtances of the ſmall Engliſh fleet. They went immediately in queſt of them, and came upon them when they were not expected. The Newport, after the loſs of one of her topmaſts, ſurrendered. A fog aroſe, which gave the Sorlings and the tender an opportunity for their eſcape, and they returned to Boſton, with the news of this ſecond diſappointment. The French commander, being ſtrengthened with the Newport, went in to St. John's and there refitted. From thence, he proceeded to Penobſcot, where the Baron St. Caſtine was waiting for him, with two hundred Indians. The whole force arrived before the fort at Pemaquid, the 14th of July. Capt. March, who was a good officer, had reſigned the command of the fort a few months before, and was ſucceeded by a very different man, Capt. Chubb. Iberville, upon his arrival, ſent a ſummons to ſurrender. Chubb returned a vain fooliſh anſwer, "that "if the ſea was covered with French veſſels, and the "land with Indians, yet he would not give up the fort." The Indians, thereupon, began their fire, and return was made by the muſketry and with a few cannon from the fort. This brought the firſt day to a cloſe. In the night, Iberville landed his cannon and mortars; and the

* In 1694.

† This was not the Iberville who laid the foundation of the French colony at Miſſiſippi in 1690. He died in a year or two after that.

the next day, before three in the afternoon, had raiſed his batteries and thrown five bombs into the fort, to the great terror of Chubb and the garriſon. Caſtine, about this time, found ſome way of conveying a letter into the fort, and let them know that, if they delayed ſurrendering until an aſſault was made, they would have to do with ſavages, and muſt expect no quarter, for he had ſeen the King's order to Iberville to give none.* This did the buſineſs, the chamade was beat immediately, and the fort was ſurrendered, upon the terms offered by the French, that the garriſon ſhould be ſent to Boſton and exchanged for the like number of French and Indian priſoners; only, a ſpecial ſecurity or engagement was inſiſted upon from the French commander, that their perſons ſhould be protected againſt the rage of the Indians. 1696.

CHUBB's conduct was univerſally cenſured, and at firſt he was put under arreſt, but came off without any other puniſhment than being laid aſide. The fort had 5 cannon mounted, and ninety able men to manage them, and no want of ammunition or ſtores. The French ſuppoſe, that if there had been a brave defence, the event would have been doubtful; at leaſt, that the fort could not have been carried without a great loſs of men; and attribute the ſurrender to the cowardice of the garriſon, who compelled the commander to act contrary to his own inclination.† This makes the acquiſition to appear of more importance.

AFTER all, there is room to doubt whether a better garriſon could have withſtood that force, until relief might have been afforded from Boſton. The French were provided with cannon and mortars, were numerous enough to reſiſt any ſallies from the garriſon, without interrupting the ſiege; there were no caſemates nor other ſhelter for the men, and the magazine itſelf was bomb proof in one part of it only, which was under a rock.

THE

*Original letter in Caſtine's hand writing.

†Charlevoix.

1696. THE reaſon of the garriſon's requiring an extraordinary caution againſt the rage of the Indians, was this. They were conſcious of their own cruelty and barbarity, and feared revenge; and a ſecurity from it might probably haſten the ſurrender, leſt it ſhould afterwards not be in their power to obtain it. In the month of February before, Egeremet, a chief of the Machias Indians; Toxus, chief of the Norridgewocks; Abenquid, a ſagamore of the ſame tribe; and ſeveral other Indians came to the fort, to treat upon exchange of priſoners. Chubb, with ſome of his garriſon, fell upon the Indians in the midſt of the treaty, when they thought themſelves moſt ſecure, murdered Egeremet and Abenquid with two others. Toxus, and ſome others, eſcaped, and ſome remained priſoners; one Indian was found in the fort, in irons, when the French took poſſeſſion of it. Such was the fury of Caſtine's Indians, that there was no way of ſecuring the garriſon but by removing them to an iſland, under a conſtant guard of French troops, until proviſion was made for tranſporting them to Boſton. Some writers palliate and ſeem inclined to juſtify this action of Chubb. Surely, the cruelty ſhewn by the Indians to the Engliſh muſt have biaſſed and blinded them. Private letters, which paſſed at this time, between ſome of the beſt men in the province, condemned it as an horrid piece of villainy.

THE French remained at Pemaquid until the 18th of July, demoliſhing the fort, their plunder was ſmall, and then went to Penobſcot, where they tarried until the 3d of September.

WHEN the news of the loſs of the man of war and of the fort came to Boſton, it was expected the enemy would proceed weſtward as far as Portſmouth. Five hundred men were raiſed without delay, and marched thither, to be ready for the defence of New-Hampſhire. Two men of war, the Arundel and Orford, arriving at the ſame time at Boſton, a detachment from the militia was ſent on board them, to ſerve as marines; and theſe ſhip

ſhips, together with the Sorlings, and a merchant ſhip of 20 guns, and a fireſhip taken up by the province, were ſent in queſt of the enemy, and came in ſight of them juſt as they ſailed from Penobſcot. The French, who were well acquainted with the coaſt, kept their ſhips cloſe in ſhore. Whether the Engliſh were afraid of the coaſt, or were too far aſtern, or did not make ſail enough, does not appear; it is certain, they did not come up with them the firſt day, and the next day being foggy they reached St. John's river, and the Engliſh veſſels returned to Boſton. The French account* takes no notice of the fog, makes the five Engliſh veſſels ſeven, and ſays, they ſteered for St. John's river, whilſt the French fleet went to Cape-Breton and from thence to Newfoundland. The French writers ſuppoſed two expeditions to have been but one, and imagined a number of ſmall veſſels, under Col. Church, were the ſame which purſued Iberville. As the Orford was returning, ſhe met with a French ſhallop belonging to St. John's, with 23 ſoldiers under Villeau, their captain, and brought them priſoners to Boſton. Charlevoix ſeems to miſtake Villebon for Villeau, and, finding him ſoon after at St. John's, defending his fort, he takes it for granted he muſt have been releaſed, as having a paſſport and not liable to be retained. 1696.

When Mr. Stoughton found the enemy was gone back to the eaſtward, he ordered Col. Church, who had the command of the 500 men at Portſmouth, to embark them on board brigantines and other ſmall veſſels, and to range along the eaſtern ſhore. Church ſaw none of the enemy, except now and then an indian canoe, until he came to Penobſcot, where he did not arrive until after the French fleet had ſailed, and the coaſt clear. Not being willing to return without doing ſome ſervice, he reſolved to know the condition of the province of Nova Scotia, and ſailed directly up to Chignecto or Beaubaſſin. Upon the diſcovery of the Engliſh forces, moſt of the French inhabitants left their houſes and fled into the woods.

* Charlevoix.

1696. woods. The Engliſh purſued, and ſoon met Bourgeois (Church calls him Bridgman) a principal inhabitant, coming to aſk quarter for himſelf and family; which was readily granted. Upon his examination, it appeared that there were Indians mixed with the French in the woods, and orders were thereupon given to renew the purſuit, and to offer quarter to all the French, but to give none to the Indians. Bourgeois was ordered, alſo, to give notice to all his countrymen, who would come in, that they ſhould be well received. Many of the inhabitants came in, and it was propoſed to them to join with the Engliſh, in purſuing the Indians, and upon their complying, their houſes ſhould be ſpared, what of their goods had been taken ſhould be reſtored, and the reſt of their ſubſtance preſerved. This was a hard condition and, in effect, obliging them to quit their country, for otherwiſe, as ſoon as the Engliſh had left them without ſufficient protection, the incenſed Indians would have fell upon them without mercy. They therefore refuſed to comply, and their houſes were thereupon burnt, and their cattle, ſheep, &c. deſtroyed, and their goods became plunder for the army.

CHARLEVOIX ſays, that Bourgeois produced a writing, by which Sir William Phips had given aſſurances of protection to the inhabitants of Chignecto, whilſt they remained faithful ſubjects of King William; and that Church gave orders, that nothing in their houſes, &c. ſhould be touched; but whilſt he was entertained by Bourgeois, together with the principal officers, the reſt of the army diſperſed themſelves among the other houſes and behaved as if they had been in a conquered country. This may be true. Men raiſed from the militia of any country, until they are uſed to diſcipline, are ſeldom exemplary for due ſubordination. Charlevoix adds, that many of the inhabitants, not truſting to the promiſes of the general, refuſed to come in, and that it was well they did; for, ſoon after, he broke through all bounds, and left only the church and a few houſes and barns ſtanding and having

having discovered, posted up in the church, an order of 1696.
Frontenac, the governor of Canada, for the regulation of trade, he threatned to treat them as rebels, set fire to the church, and the houses which he had before spared and which were now all reduced to ashes; and having done this, he presented a writing, which he told them was an acknowledgment of their having renewed their subjection to King William, and would be a security to them in case any English should again land among them.

THE condition of these Acadians was truly deplorable. Their natural attachment was to the French. They were bigotted to the roman catholic religion, in proportion to the meanness and other disadvantages of their education. Commerce, small indeed, led them to some connection with the English. For a whole century together, they were, once in a few years, changing their masters; and no sooner had owned themselves the subjects of one crown, but they were left to fall again under the power of the other. It was hardly reasonable, where protection was refused or neglected, to charge them with being traitors and rebels. When under English government, although allowed the exercise of their religion, yet their priests, always suspected of drawing them over to the French, were hated and often molested by the English. Their civil liberty was much the same under either government. They had certain persons, annually chosen, whom they called deputies and sometimes selectmen,† which they borrowed from the English colonies of New-England, but they had no other authority than to bring and carry messages from and to their governors; and upon any general disturbance or affair of general concern, the whole village or district was summoned to appear. Thus they were always depressed and without spirit. No people are more confined

† They corrupted their language, having greater converse with the English than with the European French; and intermixed many English words, as *et vous too*, instead of *et vous aussi*, *pas yet*, instead of *pas encore*, and many like expressions.

1696. to their own country than they were, few or none of them upon any occaſion ever paſſing ſo far as New-England. Their fate at laſt was hard and pitiable.

BUT to return to our ſtory. Church left Chignecto, the 20th of September, and ſtood with his tranſports for the river St. John's, and landed his men, not without ſome oppoſition, upon the eaſt ſide. He took ſeveral priſoners; interrupted the building of a new fort at the mouth of the river, and deſtroyed the materials they had prepared for it; brought away twelve of their cannon and what plunder he met with. Being informed there was not depth of water in the river for his veſſels, he made no attempt to go up to Villebon's fort, but departed for Boſton; intending to touch at all the harbours and rivers upon the eaſtern coaſt, in his way.

MR. Stoughton, having much at heart the removal of Villebon from St. John's, ordered the Arundel, Capt. Kiggins,* who returned to Boſton the beginning of September; the province galley, Capt. Southack, and a tranſport ſloop, Capt. Alden,† to go out and meet Church with his forces, and attempt to drive Villebon from his fort. A reinforcement for the land forces was ſent in the tranſport, and the command of the whole given to Col. Hawthorn, of Salem, one of the council. This was an impolitic meaſure, unleſs any miſconduct in Church made it neceſſary that he ſhould be ſuperſeded; and it is evident, by his own account, that he was not a little mortified; and although he ſubmitted, it was with reluctance, and every thing went on heavily. The men alſo, having their faces towards home, were loth to turn back, but were obliged to it; being met by the ſhips not far from the river. Villebon had timely notice of the return and reinforcement, and made the beſt preparations he could for his defence. Four of the ſmall veſſels went up the river, and landed their men near the fort, October the 7th. They raiſed a battery for two field pieces, and

* *Charlevoix calls him Sikik.*

† *The ſame who was impriſoned for witchcraft, when Hawthorn the colonel had been one who examined him.*

and began to fire with them and with their muſketry, 1696.
the ſame day; and the French made return. When night came on, which proved very cold, the Engliſh lighted their fires to keep them from periſhing. This made them a mark for the French cannon, which diſturbed them to that degree, that they were obliged to put out their fires and to be expoſed all night to the inclemency of the weather. They were ſoon diſcouraged, for the next night they reimbarked; and having joined thoſe at the mouth of the river, made the beſt of their way to Boſton. No notice was taken of any loſs on either ſide, except the burning a few of the enemy's houſes; nor is any ſufficient reaſon given for relinquiſhing the deſign ſo ſuddenly. It is probable that the forces were not provided with tents, nor cloathing, ſufficient to defend them from the cold, which they had reaſon to expect to increaſe every day, and it is certain the old colonel Church was offended at being ſuperſeded in command.

WHILST the forces, which uſed to be employed for the defence of the frontiers, were upon other ſervice, the inhabitants kept cloſe confined to their garriſons and were hindered from their labour; the Indians being upon the watch in every quarter, and now and then would ſeize or ſhoot down a man, who ventured to ſtep out of his door. Beſides thoſe mentioned, in the beginning of ſummer, Major Froſt and his wife were killed at Berwick, as they were returning from meeting; and two men, who went to carry the news to the garriſon at Wells, were ambuſhed and ſlain. In October, four ſoldiers were killed, belonging to the fort at Saco. A late author ſays, "a dreadful deſolation was threatned, and "more for want of management than power;"‡ but this is not ſo judicious, as ſome others of this author's reflections. The ſettlement of a new country could never be effected, if the inhabitants ſhould confine themſelves

‡ *Diſcovery and ſettlement of the Engliſh in N. America, in Harris's collection.*

1696. ſelves to cities or walled towns. A frontier there muſt be, and nothing leſs than making every houſe a fort, and furniſhing every traveller with a ſtrong guard, could have been an effectual ſecurity againſt an enemy, as greedy after their prey as a wolf, and to whom the woods were equally natural and familiar.

AN expedition againſt Canada had been ſollicited every year ſince 1692. This year there was a more than ordinary dependance upon it. The bad ſucceſs of the war in Europe put an end to this dependance. Intimations were given, divers ways, of a French armament from Europe by ſea, and land forces from Canada, to make a deſcent upon the Engliſh colonies. Application had been made to the French king, by the governor of Canada, in the latter part of 1695, for ten or twelve men of war, to be ſent the next ſpring from ſeveral ports in France, to encounter an Engliſh ſquadron, which it was expected would have been at ſea about that time; and, having conquered the Engliſh ſhips, then to go and take Boſton, which was repreſented to be a place of great trade; and if they could gain poſſeſſion of it, they would gain, by that means, the ſole poſſeſſion of the fiſhery.* Nothing more was intended by the French court than the poſſeſſion of Newfoundland, and the removal of the Engliſh from Acadie. Both theſe were effected, for after Iberville had taken the fort at Pemaquid, he went with his ſhips to Newfoundland, and poſſeſſed himſelf of St. John's and the other harbours there, and made a very ſucceſsful expedition. This was not only a much eaſier acquiſition than Boſton would have been, to a ſtronger ſquadron than Iberville's; although it was not then one fourth part ſo well fortified as it is at this time; but, by gaining all the ports in Newfoundland, the whole colony was gained; whereas, the gaining of Boſton would not have enabled them to have poſſeſſed even the reſt of that province nor, without a very great land army, could they have held the poſſeſſion

* *Charlevoix.*

poſſeſſion of Boſton alone one winter, againſt ſo great a number of inhabitants as were then in the province.† 1697.

THE laſt year of the war proved more alarming to the province than any of the preceding years. An invaſion was every day expected, for ſeveral weeks together; and news was brought to Boſton, that a formidable French fleet had been ſeen upon the coaſt. It was indeed a very critical time, perhaps equal to that when the Duke d'Anville was with a ſquadron at Chibuctou. The force, under the Duke, was ſuperior, but the province, at that time, was in proportion ſtronger and better able to repel it. France expected that a very ſtrong ſquadron would be ſent from England to recover the ports in Newfoundland, which Iberville had taken the laſt year. Great preparations were therefore made, to defeat ſuch ſquadron, and, after that, or in caſe it ſhould not proceed, then to lay waſte the Engliſh colonies. Frontenac the governor of Canada, upon whom great dependance had always deſervedly been placed, had orders to raiſe 1500 men, prepared to march upon ſhort warning; but, at this time, the ſervice for which they were intended was not communicated. He made

† The winter of 1696 was as cold as had been known from the firſt arrival of the Engliſh; ſlays and loaded ſleds paſſing great part of the time upon the ice from Boſton as far as Nantaſket. Greater loſſes in trade had never been known, than what were met with in this year; nor was there, at any time after the firſt year, ſo great a ſcarcity of food; nor was grain ever at a higher price.

Lord Bellamont had been expected for two years paſt. His long delay occaſioned ſome doubt, whether he had not laid aſide the deſign; but, in February 1696, Mr. Blaithwait writes, "You may be in expectation, ſome time this ſummer, of my "Lord Bellamont, who is now in a way of receiving his diſ- "patches for the government of New-England, and probably of "New-York too, for the better uniting our ſtrength againſt the "French and Indians. In the mean time, I hope the colony of "the Maſſachuſets will take care to defend themſelves againſt "the further encroachments of the enemy, and protect their "neighbours of New-Hampſhire, for the common intereſt."

1697. provision accordingly, and they would have been all ready upon eight days notice. The remembrance of this danger is lost in New-England. Charlevoix's account will be new to most people. "The intended expedi-
"tion, against Boston, was very well concerted, and
"would not have failed, as all which preceded it had
"done, if it had been vigorously pursued. The king had
"intrusted the command with the Marquis of Nesmond,
"an officer of great reputation, and had appointed for
"the service ten men of war, a galliot and two frigates.
"Boston was not the only object. He had orders to
"be ready to leave Brest, with part of the squadron, by
"the 25th of April, at farthest, in order to join the other
"part which lay at Rochel under commodore de Mag-
"non; and, with all possible dispatch, to proceed to Pla-
"centia bay in Newfoundland, that he might be before
"hand of the English, who, it was said, were determined
"to recover all they had lost the year before in that
"island, and to clear it entirely of the French. If he
"found Placentia besieged by the English, he had orders
"to attack them; if they should be gone before he ar-
"rived, he was to follow them and give them battle
"whether they had succeeded or not. After their de-
"feat, he was to sail for Penobscot: dispatching, at the
"same time, a packet boat to Quebec,* to inform Count
"Frontenac of his route, that so that general might
"meet him at Penobscot, with fifteen hundred men,
"which he was to have in readiness. As soon as the
"junction was made, and the troops embarked, the fleet,
"without loss of time, was to go to Boston, and, that
"town being taken, it was then to range the coast to
"Piscataqua; destroying the settlements as far into the
"country as they could, and so effectually as that it might
"take the English a long time to re-establish themselves.
"If

* This seems to be the greatest defect in the plan. The time in passing up the river St. Lawrence, embarking the troops, and coming down to Penobscot, from the uncertainty of that navigation, might take up the greatest part of the summer, and render the whole design abortive.

"If there ſhould be time left for further acquiſitions, 1697.
"the fleet was to go to New-York; and having reduced
"that city, the French American troops were to march
"through that colony to Canada, laying the country
"waſte as they went along.—The king had this expedi-
"tion ſo much at heart, that he had given permiſſion to
"de Neſmond to ſtrengthen his fleet with the addition
"of certain ſhips, deſtined for another expedition in
"Hudſon's bay, if he ſhould happen to meet them at
"Placentia and think them neceſſary."

We ſhall next ſee, from the ſame author, how this enterprize happened to fail of ſucceſs.

"As the French court had not received the news of
"the ſiege * of Naxoat (St. John's river) when the in-
"ſtructions were prepared, but it happened to be brought
"a ſhort time after; upon de Neſmond's anchoring in
"Rochelle road, he found orders had been ſent from
"court to meet him there, requiring him to give the
"chevalier de Villebon all that aid both of men and
"ſtores which ſhould be neceſſary to maintain him in, or
"reſtore him to his poſt. When de Neſmond came to
"Placentia, he found there a letter waiting for him from
"the count de Pontchartrain, giving him intelligence of
"18 Engliſh ſhips, laden with ſalt and ready to ſail
"from Liſbon, under convoy of a man of war; which
"ſhips were to be employed in the cod fiſhery at New-
"foundland; and he was required to do every thing in
"his power to prevent their eſcaping him. The count
"added further, that if he ſhould be ſo fortunate as to
"beat the Engliſh fleet, which was expected to be or
"have been at Newfoundland, then it was the king's
"pleaſure that he ſhould range the eaſtern coaſt of New-
"foundland, and take or burn all the Engliſh ſhipping he
"could meet with. But de Neſmond departed too late,
"to carry ſo many and ſo great deſigns into execution.
"Beſides, meeting with contrary winds, he had above
"two months paſſage, not arriving at Placentia until the
"24th of July. There, he heard no news of the Engliſh

* By the Maſſachuſets forces.

1697. "fleet. He held a grand council of war, in order to "determine whether immediately to proceed to Boſton "or not. All the voices were in the negative, and for "theſe reaſons; there was no aſſurance that it could be "a prudent meaſure, whilſt they were wholly ignorant "of the ſituation and circumſtances of the enemy; more-"over, let there be ever ſo great diſpatch in giving no-"tice to Count Frontenac, the Canada forces could not "be at Penobſcot before the 10th of September; and "by that time the fleet would not have above 50 days "proviſions left, and would be in no capacity of under-"taking any thing."

IT was known in New-England, that a formidable French fleet was at no great diſtance, and the approach of it was every day expected. There were no great hopes of an Engliſh fleet to encounter it. The inhabitants were in great conſternation. The lieut. governor of the Maſſachuſets made the beſt preparations he could. The militia, for ſeveral weeks, were held in readineſs to march to the ſea ports. The caſtle at Boſton was, then, but an inconſiderable fortreſs. Such additions were made, as the time would admit of; and, when the danger was over, many perſons expreſſed themſelves, in the accounts they gave of it to their friends, as if they had no doubt that the ſhips would have been ſtopped from coming up to the town. It was expected, a great body of French and Indians from Canada would fall upon the eaſtern frontiers, when the French fleet was upon the ſea coaſt; five hundred men were therefore raiſed, and ſent under Major March, for the defence of that part of the province.

THIS ſcheme of the French, in all probability, ſaved the lives of many of our inhabitants. The greateſt part of the ſummer, the ſtrength of Canada, which would have been employed for our annoyance, was kept in a ſtate of inaction, waiting for orders to move; and until September we were quiet, both eaſtward and weſt-

ward.

ward. A party of the enemy then fell upon Lancaſter and killed twenty or thirty perſons, Mr. Whiting, the miniſter of the town, being one of them.† 1697.

THE

† Governor Bradſtreet died at Salem March 27th, 1697, aged 94 or 95. We have had frequent occaſion to mention him, eſpecially in the firſt part of our hiſtory, where he appears in the character of an aſſiſtant, ſecretary, agent, commiſſioner for the united colonies, and at length governor. He ſeems to have been of a moderate genius, ſuch an one as we often ſee by a long courſe of ſteady inoffenſive conduct riſe from ſtep to ſtep, but at thoſe intervals when there happens to be none more ſhining or enterprizing to obſtruct it. He was the youngeſt of all the aſſiſtants who came over with the firſt charter, but had been ſenior aſſiſtant many years before he attained to the chair. At length, in the 76th year of his age, it fell to his lot. It is not improbable that ſome, who would otherwiſe have been his competitors, acquieſced in his advancement from the ſame conſiderations that the competitors in the conclave at Rome have often acquieſced in the choice of a very old Cardinal to the Popedom. When King Charles demanded a ſurrender of the charter, he was for complying. The event proved it to be eaſier to re-aſſume after a forced ſurrender than after a judgment againſt it. The King had promiſed lenity upon a compliance, and threatned all ſeverity if the colony forced him to a judgment againſt them. This influenced Mr. Bradſtreet. He thought it wiſdom to ſave part of the privileges of the colony rather than loſe the whole. Beſides, it was ſubmitting to the neceſſity of the times, ſubmitting to a power they could not reſiſt. Some ſaid if judgment went againſt them, one time or other it might be reverſed. He thought that *Dureſſe per minas* might be pleaded to avoid their own act, if ever a favourable opportunity ſhould offer for it. He was reproached for his puſillanimity. If he was upright, the cenſure of the oppoſite party ſhould not tranſmit reproach to poſterity. The moſt tenacious are not always moſt virtuous: Men will ſometimes, purſuing popular meaſures, run riſques in public affairs, which they would not think prudent in their private concerns. The reaſon is obvious. Their particular ſhare in the public, if the event ſhould prove unfortunate, has not equal weight upon their minds with the applauſe which they are ſure of, ſucceed or not, for fortitude and heroiſm. Bad men in this way can oftentimes alſo gratify their private affections, or their hatred and deſire of revenge, at the public expence.

1698. THE next year, they began early, and in February ſurprized Andover, about 25 miles from Boſton, where they killed ſeven of the inhabitants and took others priſoners, and burned many houſes. Among the ſlain was Chubb, the captain of Pemaquid fort, who lived here with his family, in a place thought to be not expoſed. His death afforded as much joy to the Indians as the deſtruction of a whole town, becauſe they had taken their beloved vengeance of him for his perfidy and barbarity to their countrymen. It is not probable, that they had any knowledge of the place of his abode, but they fell upon him by meer accident. Rapin, the Engliſh hiſtorian, would have pronounced ſuch an event the immediate judgment of heaven; Voltaire that, in this place of ſuppoſed ſafety, the man could not avoid his deſtiny. Among the priſoners was Col. Bradſtreet (who abſconded in 1692 to ſave himſelf from a proſecution for witchcraft) and all his family. Fortunately for them, the Indians apprehended they were purſued by a ſuperior force, and fled, leaving their priſoners to eſcape. Their terror muſt have been great, ſeeing there was not time to knock the priſoners in the head, according to the uſual practice when purſued. The enemy, upon their return home, made ſome ſpoil upon the town of Haverhill. In March, another party came upon the ſame town, burned 9 houſes, and killed and took priſoners, in the whole, about 40 perſons. There was a woman (Hannah Durſtan) a heroine, made priſoner at this time; whoſe ſtory, although repeatedly publiſhed, we cannot well omit. She had lain in but a week, when the Indians attacked the houſe. Her huſband, with 7 of his children, made their eſcape; but the wife, the nurſe and the young infant were ſeized. The Indians ſoon beat out the infant's brains againſt a tree. The two women they made to travel with them 12 miles the firſt night, and to continue travelling from day to day towards an Indian town,* the

* The diſtance would agree well enough with St. Francis or Beçancour, but Charlevoix ſays, this ſettlement began ſix or ſeven years later, in 1704.

the ſettlement of which, as the Indians ſaid, had been begun a little while before, about 250 miles from Haverhill. When they had travelled 150 miles, the Indians told the women, there was one ceremony which could not be diſpenſed with upon their arrival. They muſt be ſtripped and run the gantlet through the village. This diſcipline has been ſometimes ſo cruelly adminiſtred, that the poor captives have ſunk under it. The women had been aſſigned as ſervants to an Indian family,† conſiſting of two men, three women, and ſeven children, beſides an Engliſh boy, who had been priſoner a year and an half. The terror of the Indian gantlet ſeems to have inſpired Dunſtan with reſolution, and ſhe prevailed upon the nurſe and the Engliſh boy to join with her in the deſtruction of the Indian family. The Indians kept no watch. The boy had been with them ſo long, as to be conſidered as one of their own children. From women, ordinarily, attempts of this ſort are not to be expected. In the morning, a little before day, Dunſtan aroſe, and, finding the whole company in a ſound ſleep, calls upon her confederates to join with her, and with the Indian hatchets, they ſilenced ſuch as they began with, and yet took care not to make ſo much noiſe as to awaken the reſt; and in this manner they diſpatched the whole family, except a favorite boy, whom they deſignedly left, and an old woman they ſuppoſed they had killed, but who jumped up, and with the boy made their eſcape. They took off the ſcalps from ten, to bring home with them. Their danger was great from the enemy and from famine, in travelling home above an hundred miles, through thick woods and acroſs mountains and rivers; but they arrived ſafe with their trophies. They received a reward of fifty pounds from the general court, and many preſents from their neighbours; and Col. Nicholſon ſent them a valuable preſent from 1698.

† It was the practice of the Indians, after they had fell upon the Engliſh and were out of danger, to divide into ſmall parties or ſingle families and diſperſe for the ſake of more advantageous hunting in their return.

1698. from Maryland,* the fame of ſo uncommon an action having ſoon ſpread through the continent.

THE lieutenant governor, Stoughton, had held the reins four years, and had kept free from controverſy with the other branches of the legiſlature. The defence of the province, by ſea and land, was enough to employ the attention of the public. Internal diſputes and controverſies in ſtates are, ordinarily, moſt effectually avoided or ſuſpended by imminent external dangers. Beſides, Mr. Stoughton now ſtood ſo well in the eſteem of the people, that they choſe him, at every election, one of the council; although, at the ſame time, he was commander in chief. Before the year expired, a new governor might arrive, in which caſe he would take his place as a councellor. Sheriffs, in England, are named or remain in commiſſion for the peace during their ſhrievalty, although the exerciſe of their authority, as juſtices, is ſuſpended for ſuch time.

THE earl of Bellamont embarked on board one of his Majeſty's ſhips early in the fall. The merchant veſſels, which ſailed at the ſame time for Boſton, all arrived ſafe with ſhort paſſages; but the man of war was blown off to Barbados, and there wintered, not arriving at New-York until ſometime in May. Immediately upon the advice of his lordſhip's arrival, a committee was ſent with congratulations from the Maſſachuſets, and, during his reſidence at New-York, he was frequently conſulted, and all matters of importance were communicated to him, and his advice or directions were generally followed; but the adminiſtration of all acts of government were in the name of the lieutenant governor, as commander in chief. The party diſputes, which ran high at New-York, and detained his lordſhip there about a year, do not come within our deſign. In general, we may obſerve, that he countenanced the Leiſlerians.† This, together

* Nicholſon was then governor of Maryland.

† His lordſhip was one of the committee of parliament to enquire into the trials of Leiſler and Milbourne, and told Sir Henry Aſhurſt thoſe men were murdered and barbarouſly murdered.

together with the intereſt which had been made for Mr. Dudley in England in oppoſition to his lordſhip, ſeems to have prejudiced him in favor of all Dudley's enemies in New-England. Whilſt he was at New-York, he kept a conſtant correſpondence with Mr. Cooke, one of the council for the Maſſachuſets, who was a principal man of that party; and ſeems to have placed more confidence in him than in Mr. Stoughton, who ever remained, in his heart, attached to the Dudley party. 1698.

THE peace of Ryſwick was proclaimed in Boſton December the 10th 1697. The war with the Indians did not immediately ceaſe. The beginning of the next year, they ſhewed themſelves at Kittery, where they killed an old man; and at the ſame time they carried away three perſons from York. In July, they appeared upon the weſtern frontier and took three or four priſoners at Hatfield: But the French no longer daring to afford them aſſiſtance, they ſpent the reſt of the year in contriving a peace. Upon intimations, given by the Indians to any of the forts or out poſts that they are diſpoſed to peace, the Engliſh are very ready to embrace the offer. The principal object is the recovery of the captives, which at the end of the war have generally been numerous. In October, Major Convers and Captain Alden were ſent to Penobſcot to ſettle preliminaries; one of which was to be the releaſe of all priſoners, but no more could be obtained, on this head, than a promiſe to return all ſuch as deſired it; the Indians refuſed to compel any who inclined to remain with them. In the winter, John Phillips, Eſq; of the council, with Major Convers, and Cyprian Southack, commander of the province galley, went with full powers to conclude a treaty. The Indians are not very nice in acknowledging their perfidy in ſuch terms as the Engliſh prepare for them, and make ſuch ſubmiſſions and promiſes of future fidelity as are deſired. The treaty was in the ſame terms with that in 1693. Several captives were reſtored, and others were promiſed in the ſpring; but many

1698. many remained, males and females, who mingled with Indians and contributed to a ſucceſſion of ſavages to exerciſe cruelties upon the Engliſh frontiers, in future wars, and perhaps upon ſome of their own relations.

THE leaving bounds to be ſettled between the Engliſh and French, upon the continent, by commiſſaries, and the ambiguous terms made uſe of in treaties (perhaps artfully introduced by the French) have been the cauſes of new diſputes between the two crowns; and, in one inſtance at leaſt, have very ſoon brought on a new war.* The peace of Ryſwick was ſcarcely proclaimed in New-England, when the inhabitants were made ſenſible of the deſigns of the French to make themſelves ſole proprietors of the fiſhery, and to reſtrain the Engliſh from the poſſeſſion of any part of the country contained in the Maſſachuſets charter to the eaſtward of Kennebeck. It was underſtood by the Engliſh court, that, by the treaty of Ryſwick, all the country weſtward of Saint Croix was to remain to the Engliſh, as being within the bounds of the province of Maſſachuſets-Bay. The French court, immediately after the treaty, aſſerted an excluſive right to the fiſhery upon the ſea-coaſts and to all the inland country.† A French man of war, bound from France to Port-royal, met one of our fiſhing veſſels off Cape Sables, ſent for the ſkipper to come on board, and cauſed to be tranſlated and read to him in Engliſh an order of the French king for ſeizing all Engliſh veſſels found fiſhing on the coaſts, and told him to give notice of this order to all other veſſels. Villebon, governor of St. John's river, writes, ſoon after, to Mr. Stoughton, that he had orders, from the French king, his maſter, to take poſſeſſion of and defend the whole country as far as Kennebeck.‡

THE

* After the treaty of Aix la Chapelle in 1748.

† Acadie has been ſtretched and contracted at different times, as the French found it to ſerve their intereſt.

‡ "I am expreſsly ordered by his Majeſty, to maintain the bounds "between New-England and us, which are from the head of "Kennebeck

THE Norridgewock Indians, this year alſo, built a church, at their chief ſettlement upon Kennebeck river, which was complained of by the Maſſachuſets government as a French encroachment; but I know not for what reaſon, except their having a Frenchman for their prieſt can be thought one. 1698.

REPRESENTATIONS were made to the miniſtry, and the right of the Engliſh to the eaſtern country, as far as St. Croix, was inſiſted upon. The Lords of trade write thus to the Earl of Bellamont. "As to the "boundaries, we have always inſiſted and ſhall inſiſt up- "on the Engliſh right as far as the river St. Croix; but "in the mean while, in relation to the encroachments of "the French and their building a church on Kennebeck "river, that ſeems to us a very proper occaſion for your "Lordſhip's urging the general aſſembly of the Maſſa- "chuſets-Bay to rebuild the fort at Pemaquid, which they "ought to have done long ago, and thereby they might "have prevented this and many other inconveniencies."*

THE French perſiſted in their moleſtations of the Engliſh fiſhermen, and there ſeems to have been no great concern about it in the Engliſh miniſtry; other greater affairs, in difference between the two crowns, engaged the attention, and brought on a new war; and it was well they did, for it looks very probable, that this diſ-

pute

"Kennebeck river unto it's mouth, leaving the courſe of the "river free unto both nations, and I expect that you will no "longer conſider the Indians inhabiting there as your ſubjects. "—I am informed, that you have divers fiſhermen on our "coaſts, and that you permit your people to trade in the "French ports. You may well expect, Sir, that I ſhall ſeize "all the Engliſh who ſhall be found fiſhing or trading; for "you cannot be ignorant, that it is plainly prohibited by the "treaty between the two crowns, which you yourſelf ſent to "me. Monſ. de Bonaventure, commander of the Envieux, "has alſo ſent you ſome of your fiſhing veſſels, which he had "taken, and acquainted you, that if they returned, either for "fiſhing or trading, he would make prize of them."

Villebon's letter 5 Sep. 1698.

* Octob. 30. 1700.

1698. many remained, males and females, who mingled with Indians and contributed to a ſucceſſion of ſavages to exerciſe cruelties upon the Engliſh frontiers, in future wars, and perhaps upon ſome of their own relations.

THE leaving bounds to be ſettled between the Engliſh and French, upon the continent, by commiſſaries, and the ambiguous terms made uſe of in treaties (perhaps artfully introduced by the French) have been the cauſes of new diſputes between the two crowns; and, in one inſtance at leaſt, have very ſoon brought on a new war.* The peace of Ryſwick was ſcarcely proclaimed in New-England, when the inhabitants were made ſenſible of the deſigns of the French to make themſelves ſole proprietors of the fiſhery, and to reſtrain the Engliſh from the poſſeſſion of any part of the country contained in the Maſſachuſets charter to the eaſtward of Kennebeck. It was underſtood by the Engliſh court, that, by the treaty of Ryſwick, all the country weſtward of Saint Croix was to remain to the Engliſh, as being within the bounds of the province of Maſſachuſets-Bay. The French court, immediately after the treaty, aſſerted an excluſive right to the fiſhery upon the ſea-coaſts and to all the inland country.† A French man of war, bound from France to Port-royal, met one of our fiſhing veſſels off Cape Sables, ſent for the ſkipper to come on board, and cauſed to be tranſlated and read to him in Engliſh an order of the French king for ſeizing all Engliſh veſſels found fiſhing on the coaſts, and told him to give notice of this order to all other veſſels. Villebon, governor of St. John's river, writes, ſoon after, to Mr. Stoughton, that he had orders, from the French king, his maſter, to take poſſeſſion of and defend the whole country as far as Kennebeck.‡

THE

* After the treaty of Aix la Chapelle in 1748.

† Acadie has been ſtretched and contracted at different times, as the French found it to ſerve their intereſt.

‡ "I am expreſsly ordered by his Majeſty, to maintain the bounds "between New-England and us, which are from the head of "Kennebeck

THE Norridgewock Indians, this year alſo, built a church, at their chief ſettlement upon Kennebeck river, which was complained of by the Maſſachuſets government as a French encroachment; but I know not for what reaſon, except their having a Frenchman for their prieſt can be thought one. 1698.

REPRESENTATIONS were made to the miniſtry, and the right of the Engliſh to the eaſtern country, as far as St. Croix, was inſiſted upon. The Lords of trade write thus to the Earl of Bellamont. "As to the "boundaries, we have always inſiſted and ſhall inſiſt up- "on the Engliſh right as far as the river St. Croix; but "in the mean while, in relation to the encroachments of "the French and their building a church on Kennebeck "river, that ſeems to us a very proper occaſion for your "Lordſhip's urging the general aſſembly of the Maſſa- "chuſets-Bay to rebuild the fort at Pemaquid, which they "ought to have done long ago, and thereby they might "have prevented this and many other inconveniencies."*

THE French perſiſted in their moleſtations of the Engliſh fiſhermen, and there ſeems to have been no great concern about it in the Engliſh miniſtry; other greater affairs, in difference between the two crowns, engaged the attention, and brought on a new war; and it was well they did, for it looks very probable, that this diſ-

pute

"Kennebeck river unto it's mouth, leaving the courſe of the "river free unto both nations, and I expect that you will no "longer conſider the Indians inhabiting there as your ſubjects. "—I am informed, that you have divers fiſhermen on our "coaſts, and that you permit your people to trade in the "French ports. You may well expect, Sir, that I ſhall ſeize "all the Engliſh who ſhall be found fiſhing or trading; for "you cannot be ignorant, that it is plainly prohibited by the "treaty between the two crowns, which you yourſelf ſent to "me. Monſ. de Bonaventure, commander of the Envieux, "has alſo ſent you ſome of your fiſhing veſſels, which he had "taken, and acquainted you, that if they returned, either for "fiſhing or trading, he would make prize of them."
Villebon's letter 5 Sep. 1698.

* Octob. 30. 1700.

1698. pute about the fiſhery would not have made a breach, but if peace had continued, the French would have excluded the Engliſh, and this valuable branch, once loſt, might never have been recovered.

KING JAMES, always under the influence of France, had relinquiſhed his right to Acadie or Nova Scotia; and altho' his governor (Andros) for the ſhort time the King remained afterwards upon the throne, retained the poſſeſſion of Pemaquid, and challenged a right to St. Croix; and although the friendſhip between the two monarchs might prevent any ſeverity upon the Engliſh fiſhermen, yet the French inſiſted upon their right both to the country and coaſts. The war, upon the revolution, ſuſpended the diſpute about title. At the treaty of Ryſwick, England was not diſpoſed to urge any points which would retard the peace; and the French immediately after renewed the ſame claim they had made under King James.

1699. LORD Bellamont arrived at Boſton from New-York May 26th 1699. A nobleman at the head of the government, was a new thing. All ranks of people exerted themſelves to ſhew him reſpect, and the appearance was ſo pompous, that his lordſhip thought it gave him good reaſon to expect a very honorable ſupport from a province ſo well ſtocked with inhabitants, and in a ſtate of ſo much affluence. He took every method to ingratiate himſelf with the people. He was condeſcending, affable and courteous upon all occaſions. He profeſſed to be of the moſt moderate principles, in religion and government; although a churchman, yet far from high church, and he attended the weekly lecture at Boſton * with great

* The general court in that day always adjourned to attend the lecture. An anecdote or two, or what the French call *perſonalitez*, will give us an idea of ſome parts of his lordſhip's character. The preciſe part of the country, however treated with reſpect in public, were not moſt agreable for private company and more intimate acquaintance. Among the more liberal

was

great reverence, and profeſſed great regard and eſteem for 1699.
the preachers. He avoided all unneceſſary conteſts with private perſons, or with either branch of the legiſlature. His inclination led him to Mr. Dudley's enemies, but he did not neglect thoſe who were friendly and attached to him. There was perfect harmony in the general court whilſt he preſided. There was ſomething ſingular and unparliamentary in his form of proceeding in council; for he conſidered himſelf as at the head of the board in their legiſlative, as well as executive capacity. He concerned himſelf in all their debates;† propoſed all buſineſs, and frequently recommended to them to reſolve into a committee upon bills or clauſes in bills, and then, as the entries ſtand, he left the chair, and the committee (being ready to report) reaſſumed; nor did he think it proper they ſhould act as a houſe of parliament in his abſence; but when detained at home, by meſſages from time to time, directed their going into a committee and preparing buſineſs againſt ſuch time as he ſhould be able to attend. This was guiding them in all their debates and reſolves, as far as his influence would extend, which was not a little way; and yet afterwards, as a

was one Bullivant, an apothecary, who had been a juſtice of peace under Andros. Lord Bellamont, going from the lecture to his houſe, with a great crowd round him, paſſed by Bullivant ſtanding at his ſhop door loitering, "*Doctor*," ſays his lordſhip with an audible voice, "*you have loſt a precious ſermon to day.*" Bullivant whiſpered to one of his companions who ſtood by him, "*If I could have got as much by being there as his lordſhip will, I would have been there too.*

A ſpeech of his to his lady, when his table was filled with repreſentatives from the country towns, is yet remembred:—*Dame, we ſhould treat theſe gentlemen well, they give us our bread.*

† Henry IV. ſat in the Houſe of Lords in De la Pole's caſe; but the Lords proteſted againſt the King's interpoſing in their rights and privileges.———In the reign of his predeceſſor Richard 2d, the houſes of parliament had reſolved that the King has the appointing what matters ſhall be firſt handled in parliament and, after that, what next, and ſo on to the end of the ſeſſion.

1699. ſeperate branch, he had his negative upon all their proceedings which were not according to his mind. This irregularity does not ſeem to be the meer effect of his lordſhip's authority and influence over the council. The conſtitution under the new charter was not ſettled. They came off by degrees from their practice under the old charter. The governor, created by the people, uſed, then, to vote with the aſſiſtants; and although he had no negative, yet he had a caſting voice.* Lord Bellamont finding this to have been the practice, and conſidering how much it increaſed hisſhare in all acts of government, might be diſpoſed to retain it. Experience taught, what was not at firſt conceived, the great difference between the privilege of propoſing or originating and that of rejecting. In all ſucceeding adminiſtrations, it has given cauſe of exception and complaint when the governor has intereſted himſelf in the debates of the council, to influence their determinations and abridge them of that freedom, to which they are equally intitled with the other branches of the legiſlature. He was the firſt governor who imitated the lord lieutenant of Ireland, in formal ſpeeches, as the king's repreſentative, to the two houſes of parliament; copies of which were delivered to the ſpeaker and afterwards printed. Extracts, from one or two, ſhew they were calculated *ad captandum.* The unfavorable ſentiments of the inhabitants, in general, of the reign of the Stuarts, were well known to him; no ſubject could be more engaging than a cenſure upon that family. He concludes his firſt ſpeech, which is a very long one, in this manner. "I ſhould be wanting to you and myſelf "too, if I did not put you in mind of the indiſpenſable "duty and reſpect we owe the king, for being the glo- "rious inſtrument of our deliverance from the odious "fetters and chains of popery and tyranny; which has "almoſt

* While Mr. Stoughton was commander in chief, he had always been choſen of the council; it can ſcarcely be ſuppoſed that he gave his voice as one of the council, in legiſlative matters.

" almoſt overwhelmed our conſciences and ſubverted all 1699.
" our civil rights. There is ſomething that is godlike
" in what the king hath done for us. The works of
" redemption and preſervation come next to that of cre-
" ation. I would not be miſunderſtood, ſo, as to be
" thought to rob God of the glory of that ſtupendous
" act of his providence, in bringing to paſs the late hap-
" py and wonderful revolution in England. His bleſſed
" work it was, without doubt, and he was pleaſed to
" make king William, immediately, the author and in-
" ſtrument of it. Ever ſince the year 1602, England
" has had a ſucceſſion of kings, who have been aliens in
" this reſpect, that they have not fought our battles nor
" been in our intereſts, but have been, in an unnatural
" manner, plotting and contriving to undermine and ſub-
" vert our religion, laws and liberties, till God was pleaſed,
" by his infinite power and mercy and goodneſs, to give us
" a true Engliſh king, in the perſon of his preſent majeſty,
" who has, upon all occaſions, hazarded his royal perſon in
" the fronts of our battles and where there was moſt dan-
" ger; he has reſtored to our nation the almoſt loſt cha-
" racter of bravery and valor; and, what is moſt valuable
" of all, his majeſty is entirely in the intereſt of his people.
" It is therefore our duty and intereſt to pray to God,
" in the moſt fervent manner, that he would bleſs our
" great king William with a long and proſperous reign
" over us, to which I am perſwaded, you that are pre-
" ſent and all good people will heartily ſay amen."

His laſt ſpeech had expreſſions, ſtrong enough, upon the ſame ſtrain. " The parting with Canada to the
" French and the eaſtern country called Acadia or Nova
" Scotia, with the noble fiſhery on that coaſt, were moſt
" execrable treacheries to England, and intended, without
" doubt, to ſerve the ends of popery. It is too well
" known, what intereſt that King favoured, who parted
" with Nova Scotia, and of what religion he died."

By avoiding offence to particular perſons, and by a general conformity to the caſt or prevailing diſpoſition

1699. of the people, his Lordſhip obtained a larger ſum, as a ſalary and gratuity, not only than any of his predeceſſors, but alſo than any who ſucceded him, when the inhabitants were more numerous and more opulent, and money, compared with the neceſſaries of life, had become leſs valuable; for he remained but 14 months in the province, and the grants made by the general court amounted to £. 2500 lawful money, or £. 1875 ſterling.

HIS time was much taken up in ſecuring the pirates and their effects, which, we have obſerved, was a great inducement with the king to ſend him to America. Before his arrival in Boſton, ſeveral ſuſpected perſons had been ſeized. After 30 or 40 years indulgence, there ſucceeded a general abhorrence of bucaneering; and the bucaneers, or freebooters, were hunted from one colony to another. A large ſum of money was ſeized in the poſſeſſion of one Smith, part of it foreign coins and the impreſſions unintelligible; and he was brought upon trial, but the evidence produced being inſufficient to ſatisfy the jury, he was acquitted.

ABOUT the ſame time, one Bradiſh was apprehended. He had been boatſwain's mate of a ſhip fitted out by merchants and tradeſmen of London to India, in the interloping trade. The crew turned pirates; and, having left the maſter aſhore at Polonais, gave the command to Bradiſh. They came to America, and lodged large ſums of money and goods with perſons upon Long Iſland and other places within and near to the government of New-York, and then diſperſed; ſome to Connecticut, others to Maſſachuſets bay, where Bradiſh was taken and others of his crew and ſent to England. The vigilance, uſed in purſuing and apprehending them, appears from the account Mr. Stoughton tranſmitted to the ſecretary of ſtate.* But Kidd was his lordſhip's chief object.

* "I have further to obſerve unto your honor that, about the 19th of March laſt paſt, there arrived at the eaſt end of Long Iſland, in the province of New York, the ſhip or hack-boat named the Adventure, of London, burthen about 350 tons, mounted with

bject. His own reputation and that of ſeveral of his 1699.
iends depended upon his ſeizure, being the only effec-
al way of removing the jealouſies and unjuſt ſurmiſes,

 not

with 22 guns, Thomas Gullock late commander; which ſhip ſailed from Graveſend the 16th day of March 1697-8, bound to the Iſland of Borneo in India, upon an interloping trade; being ſet forth by Capt. Henry Tate and Capt. Hammond, who kept a brewhouſe in Thames-ſtreet, and Mr. Samuel Shephard and the Heathcoats, merchants in London. Having proceeded ſo far onward of the voyage as Polonais, they there ſtopped to water; and the ſaid commander, with ſeveral of the officers, mariners and ſome paſſengers being on ſhore upon the ſaid Iſland, and the Boatſwain gone on board with water, the reſt of the ſhip's company combined and conſpired together to leave the ſaid commander and others with him on ſhore upon the ſaid Iſland, and to run away with the ſhip and lading; which they accordingly put in execution, on the 17th day of September laſt paſt, cut the cables and brought the ſhip to ſail, offering the yawl to ſome of the company that refuſed to join with them in the ſaid piracy, to tranſport them to the ſhore; which they accepted of, and ſeveral went off in her to the ſaid Iſland; the ſurgeon's mate and two other youths they forced to ſtay in the ſhip: The chief mate alſo, with the boatſwain and armourer, not conſenting, unto the ſaid villainous act, but unwilling to go aſhore at the aforeſaid Iſland, they gave the long boat unto them with neceſſary proviſions, &c. three days after, being then about 20 leagues from the land; in which they went off from the ſhip, the remainder of the company on board, being five or ſix and twenty in number, made choice of one Joſeph Bradiſh, the boatſwain's mate, to be their commander, whom they preferred for his ſkill in navigation, and directed their courſe for Mauritius, where they fitted the ſhip, took in ſome freſh proviſions and two young gentlemen named Charles Seymour and John Power, who being on a voyage for India, in a ſhip under the command of one Capt. Pye, were unhappily left behind on the ſaid Iſland; and from Mauritius they came about cape bon eſperance and in ſome ſhort time after made a ſharing of the money on board, which was contained in nine cheſts, ſtowed in the bread room, and ſet forth three or four and twenty ſingle ſhares, beſides the Captain's which was two ſhares and a half. In weighing out the money, ſome received 1500 others 1600 dollars for a ſingle ſhare. They afterwards made a ſecond ſharing of broad cloths, ſerges, ſtuffs and other goods on board. They ſtopped at the Iſland of Aſcenſion, took ſome turtle and

freſh

1699. not only againſt ſeveral of the miniſtry, but even againſt the king himſelf. In order to ſuppreſs the piracies committed by Engliſh ſubjects in India, &c. it was thought proper to fit out a ſhip for that ſpecial purpoſe. Lord

freſh proviſions there, and thence directed their courſe for this continent and arrived as aforeſaid at Long Iſland, where the ſaid Capt. Bradiſh went on ſhore, carried the moſt of his money and ſome rings and jewels with him; committed them to the care of a gentleman on ſaid Iſland; ſent a pilot on board to remove the ſhip and bring her to an Iſland called Gardner's Iſland; but the wind not favouring them, ran over to Block Iſland within Rhode-Iſland government; from whence they ſent two of the company to ſaid Rhode-Iſland to buy a ſloop, but the government there, having notice that a ſhip was hovering about thoſe parts, ſuſpected to be a pirate, ſeized on the ſaid two men and detained them; the intelligence whereof being carried to the ſhip, and ſome ſloops being deſcried coming from ſaid Iſland towards the ſhip, the company, fearing that they were manned out from thence to ſeize them, forthwith came to ſail and ſtood off to ſea ward; the ſloops following, came up with them, and being informed what the ſloops were, permitted them to come on board and bought one of the ſloops and hired another to tranſport them and their money, allowing the ſloops men to take what they pleaſed out of the ſhip and gat on ſhore ſome in one place and ſome in another; landing at farm houſes, where they provided themſelves with horſes, and ſcattered into divers parts of the country; the captain, and ſome others with him, coming into this province; upon the firſt intelligence whereof, a proclamation was iſſued and hue and cries ſent through the province and into the neighbouring governments to purſue and ſeize all ſuch of them as could be found, with their treaſure. The captain, with ten more of the company, are apprehended and in cuſtody here in order to a trial; who upon examination ſeverally confeſſed the particulars before recited; and a conſiderable quantity of money, to the value of near three thouſand pounds, with ſeveral goods and merchandizes taken out of the ſaid ſhip are ſeized. Seven or eight more are apprehended within Connecticut government, and purſuit is making after the reſt. The juſtices of the peace and other officers, in their reſpective ſtations, have been very vigorous in the proſecution of theſe villains, and the people in general have juſt reſentment and abhorrence of ſuch vile actions, and the government here will be very zealous in the diſcountenancing and puniſhing all ſuch criminals."

Mr. Stoughton's letter to Mr. Secr'y Vernon, Ap. 12. 1699.

Lord Rumney, Sommers and others, became adventurers, 1699.
to the amount of ſix thouſand pounds ſterling, and a grant was made to them of all captures, ſaving one tenth only reſerved to the king. Lord Bellamont ſeems to have had the principal direction. Upon enquiry for a proper commander, Mr. Livingſtone, a principal inhabitant of New-York being then in London, recommended Kidd who had ſailed out of New-York, and having a family there, no queſtion was made of his attachment to it, and there was no ſuſpicion of his ever turning pirate himſelf. From London he went firſt to New-York, where he broke through the inſtructions he had received, ſhipping his men upon new terms; and when he arrived in India, not only connived at and ſuffered to continue, a known pirate veſſel, but committed divers alarming acts of piracy himſelf, to the endangering the amity ſubſiſting between the Eaſt India company and the princes in that part of the world. The leaſt ſaid, by the enemies of the adminiſtration, was, that from a greedy deſire of gain, an ill-judged meaſure had been engaged in, which would be attended with very miſchievous conſequences, and the malice of ſome inſinuated a criminal intention in the undertaking.

WHERE Kidd would ſeek an aſylum was uncertain. Strangely infatuated, he came from Madagaſcar to Boſton, and made a bold open appearance there, July the firſt this year, and ſome of his crew with him. On the third, he was ſent for by the governor and examined before the council. What account he could give of himſelf does not now appear, but he was not immediately committed, and only ordered to draw up a narrative of his proceedings; which neglecting to do in the time aſſigned him, on the ſixth he was apprehended and committed to priſon. Being a very reſolute fellow, when the officer arreſted him in his lodgings, he attempted to draw his ſword, but a young gentleman,* who accompanied the

* Mr. Thomas Hutchinſon, afterwards, for many years one of the council.

1699. officer, laying hold of his arm prevented him, and he ſubmitted. Several of his men were ſecured at the ſame time, and advice having been ſent to England, it was thought an affair of ſo much importance, that a man of war was ſent to carry them there; where Kidd, Bradiſh and divers others were condemned and executed. The party writers in England pretended, that after Kidd's arrival he had aſſurance from ſome anti-courtiers, who examined him in priſon, that his life ſhould be ſpared if he would accuſe his employers, but that he was not bad enough to comply with ſuch a propoſal.

LORD Bellamont held two ſeſſions of the general court this year; the firſt, the anniverſary for the election of councellors, the latter the 31ſt of March following, occaſioned by a general rumor through the colonies, that the Indians (from all quarters, not only thoſe upon the frontiers, but thoſe who were ſcattered through the towns in the ſeveral colonies) had united and agreed, at an appointed time, to fall upon the Engliſh in order to a total extirpation. The Indians were no leſs alarmed with a report, that the king had withdrawn his protection from them, and ordered his ſubjects to unite in their deſtruction. Theſe reports were ſuppoſed to have been raiſed by evil minded perſons among the Engliſh or Dutch; but it is more probable, the Indians of the ſix nations,* to obtain the preſents which accompanied all treaties between the Engliſh and them, were the contrivers

* I remember that when the commiſſionrs from ſeveral governments were at Albany, upon treaty with the Indians of the ſix nations, in the year 1745, Hendrick, the Indian chief (who afterwards loſt his life fighting under the Engliſh when baron Dieſkau was defeated) had contrived, a little while before the treaty, to ſpread a rumor, among his countrymen, that the Engliſh had laid a plan for their deſtruction; and that arms, ammunition, &c. were provided and ſent to the frontiers, in order to make a ſtroke upon them, when they leaſt expected it. The commiſſioners were ſurprized at the general diſcontent diſcovered by the Indians, their frequent aſſembling and their backwardneſs in conferring with the Engliſh; and having ſome intimation of the rumor, they reſolved to ſearch to the bottom

contrivers and managers of the whole affair. Such was the consternation in the Massachusets, that several acts passed the general court for levying soldiers; for punishing mutiny and desertion; for holding all the militia in readiness to march; and for enabling the governor to march them out of the province, which, by charter, he was restrained from without an act of assembly. As it happened, there was no occasion for carrying these laws into execution; the general terror subsiding soon after. 1699.

Soon after the session of the general court in May 1700, Lord Bellamont took his leave of the Massachusets and went to New-York, where he died the 5th of March following. Mr. Stoughton took the chair again, with reluctance. His advanced age and declining state of health made him fond of ease and retirement. 1700.

As soon as the news of the governor's death reached England, Mr. Dudley renewed his sollicitations, with fresh vigor, for a post which he never lost sight of. By the interest of Lord Cutts, and the condescention of Lord Weymouth, whose son in law was a competitor, he was chosen member for Newtown in Southampton county in King William's last parliament. This, with the place of lieut. governor of the Isle of Wight, was to be preferred to all he could expect in New-England if that had not been his native country; but he had a passion for laying his bones there, which equalled that of the antient Athenians, and which he could not help mentioning to every New-England man who paid him a visit; as many frequently would do, from Portsmouth, where they were often detained for convoy. 1701.

When

bottom of it. Hendrick, finding himself in danger of being discovered, and fearing the resentment of his own countrymen, came to the commissioners privately, and desired they would make no further enquiry; he would undertake to quiet the Indians and remove their fears. The commissioners considered him as a necessary man, who had been very useful in bringing his countrymen to agree to measures proposed by the English, and that it was good policy not to expose him, and left it to him to convince the rest, that their suspicions were groundless, which he effected in a very short time.

1701. WHEN Sir Richard Onſlow and Mr. Harley † were competitors for the ſpeaker's place, his inclination led him to the latter, from whom he had received favors; but his favorite object, which he was then purſuing, obliged him to comply with the court and vote for the former. He made uſe of the diſſenting intereſt in England to obtain his commiſſion and to recommend him to his countrymen upon his arrival. ‡ There was another

† We have a tradition that Mr. Harley had ſome New-England blood in him, his mother being a grand daughter of Sir Richard Saltonſtall. A letter from her to one of her ſiſters in New-England is ſaid to have been preſerved many years after his death for the ſake of this paſſage in it. "I am now going to carry Bob up to the inns of court to make a man of him."

‡ "Revd Sirs, London 13 Aug. 1701.

The juſt and great concern we have for the welfare of NewEngland has, upon all occaſions, engaged us to improve that little intereſt we have or can make at court, in the appointment of your governor from time to time, that he may be ſuch a one as may ſeek your good, and under whom you may be ſecure and encouraged in your holy religion, and alſo in your civil rights and privileges; and ſuch a one we hope and have a great deal of reaſon to believe is Col. Dudley, whom the king was pleaſed upon his departure to appoint your governor, and we crave leave to acquaint you that we were very well pleaſed in his Majeſty's nomination upon many accounts, our own perſonal knowledge of his character to be a man of learning, prudence and ſobriety, and of good acceptance with the preſent government of England for his faithful ſervice in the Iſle of Wight, and that his family, eſtate and intereſt is in your country. Upon the whole, we judge it an eſpecial act of the king's favour towards you, that he, among ſo many others that always offer upon ſuch accounts, ſhould be determined for you. We hope and believe it is the eſpecial providence of God, and ſhall heartily pray that you may ſoon ſee him and have the benefit of his good conduct and care for you, and do not doubt but you will joyfully receive him and aſſiſt him with your prayers and advice. At all times we are, Revd Sirs, Your moſt affectionate and humble ſervants,

John Quick — Richd Stretton
Robert Billio — Tho. Powell. min-
Joſiah Chorley Norwich — Fr. Glaſcocke — ſter of the goſpel
John Long — Jeremiah White — Matt. Sylveſter."

Letter from diſſenting miniſters in England to the miniſters of Maſſachuſets-bay.

other difficulty ſtill remaining, the king was not willing to appoint a governor who he knew had been very obnoxious to the people. A petition was therefore procured, from ſuch perſons belonging to the Maſſachuſets bay as were then in London, and from the principal New-England merchants, praying that Mr. Dudley might be appointed governor. He had alſo the addreſs to reconcile himſelf to Mr. Mather the younger, and to obtain from him a letter favoring his cauſe, which he made known to the king, and which removed his objection;* and although Lord Cornbury, a near relation of 1701.

* "I have been ſo hurried in parliament, and indiſpoſed by my late attending committees, that I could not find leiſure to write to you; or rather, I was ſo out of humour with my ill uſage here and in New-England, for my faithful 12 years ſervice, that I had no heart to write. I ſee, he that is faithful to his religion and his country muſt expect his reward above. Before the king died, I had another hearing before the council and the king. Mr. Dudley and Mr. Phips on the one ſide, and I alone on the other. Mr. Dudley produced Mr. Cotton Mather's letter, and read it to the king; and Mr. Phips and he averred, that there was not one miniſter nor one of the aſſembly but were impatient for his coming. I wiſh you very happy under his government. As to my Lord Cornbury, he was bred at Geneva, and would no more have attempted upon your religious intereſt than I would. I could not believe that my Lord Weymouth ſhould hinder his own ſon in law from being choſen parliament man, that Mr. Dudley, when I oppoſed him, might get in, and that Mr. Blaithwait and the biſhop of St. Aſaph, ſhould ſo earneſtly be for Dudley's going, and that on purpoſe to ſerve the intereſt of your churches. Mr. Stretton gat all the Non-cons to ſubſcribe that letter. Poor Mr. Glaſcock wept to Mr. Howe for ſigning it. Whatever you pleaſe to ſay or think of me, I have the teſtimony of my conſcience, that in the integrity of my heart, in the ſight of God, I have ſerved New-England with all my might."

Sir H. Aſhurſt to I. M. March 25. 1702.

Sir Henry Aſhurſt was miſtaken in his opinion of Lord Cornbury. Mr. Smith, in his hiſtory of New-York, has given us an account of the arbitrary ſevere treatment the diſſenters received from him. A circumſtantial account of his proſecuting two itinerant preachers I have ſeen, under the hand of one of them. The ſouthern colonies being deſtitute of miniſters of any ſort, the diſſenting

1701. of the late Queen and the Princeſs Ann, being appointed for New-York, expected Maſſachuſets alſo, yet Mr. Dudley prevailed; and his commiſſion paſſed the ſeals. The king's death, a few months after, cauſed him the trouble of taking out a new commiſſion from the Queen, but he had the unuſual favor ſhewn him of remitting moſt if not all the fees.

WHILST

diſſenting miniſters in London, with ſome principal men of their congregations made proviſion for the ſupport of two itinerant miſſionaries from Virginia to New-York, who were to be abſent two years; and upon their return, two others were to be ſent out, and ſo from time to time. The two firſt were George Macniſh from Scotland, and John Hampton from Ireland; but being ſtrangers to America, Francis Makennie, another miniſter who had been there before, accompanied them. Beginning their miſſion at Carolina they travelled northward; and M' Niſh being left to take care of five meeting houſes in Somerſet, Maryland, the other two went on to New-York. They waited upon the governor, and were civilly received; and ſome of the inhabitants who deſired to hear them, applied to his Lordſhip to give them leave to preach in the Dutch or French church, but he refuſed it, and the miniſters of the churches did not care to admit them againſt his mind. Makennie, in compliance with the deſires of the people, preached in a private houſe with the doors open, and a day or two after left New-York in order to preach at Newtown on Long-Iſland where he and Hampton who had preached in the meeting houſe at Newtown were apprehended by a warrant from the governor, carried before him and charged with preaching in his government without his licence: They replied, that they preſumed upon the liberty given by an act of parliament the 1ſt. of William and Mary, and had obtained certificates according to the directions of the act which they delivered him. He told them the act was local, and they muſt find ſureties for their good behavior, and eſpecially not to preach any more in his government. This they declined, and were committed to cuſtody, where they continued many weeks at the expence of 40s. per week. During their confinement, they applied to the miniſters of Boſton, deſiring them to repreſent their caſe to ſome gentlemen in England who might appear in their behalf, which occaſioned among others the following letter.

"Sirs,

WHILST theſe things were tranſacting in England, the lieutenant governor, Mr. Stoughton, died, in May this year, at his houſe in Dorcheſter. The adminiſtration for the firſt time devolved upon the council. Some manuſcript 1702.

"Sirs, Boſton, N. E. April 1. 1707.

We have lately given you ſome account of the violent and illegal actions of my lord Cornbury, governor of New-York, in impriſoning two qualified preſbyterian miniſters (Mr. F. M. and Mr. J. H.) for offering to attend the duties of their miniſtry in his government, under the ſhelter of the act of toleration. The gentlemen lay priſoners for more than ſix weeks at forty ſhillings per week charges, upon a mittimus ſigned by my lord, not in the queen's name and without any crime ſpecified. Tho' both my lord and the queen's attorney denied the act of toleration to extend unto the plantations, yet they have ſince made the act of uniformity, notwithſtanding the clauſes of limitation in it, ſo extenſive. The chief juſtice, finding himſelf under a neceſſity to grant the gentlemen an *habeas corpus*, which would have diſcharged them, my lord (from whom they have no hope of obtaining here any ſatisfaction for their falſe impriſonment all this while) ſerved a new mittimus upon them. A grand jury was packed, whereof three were juſtices of the peace, who had already, as ſuch, appeared againſt the priſoners; the reſt of the Engliſh were high flying churchmen, and the biggeſt part were Dutch and French, who neither knew the Engliſh law nor ſpake the Engliſh tongue, and either were dependents on my lord or ſuſpected of popery. This grand jury found againſt Mr. Francis Mackennie a bill, that on the 22d day of January he did preach and teach at the houſe of one William Jackſon, where were aſſembled together above the number of five perſons at one time, and did voluntarily and unlawfully uſe other rites and ceremonies and form and manner of divine worſhip than what are contained in a certain book intitled, the book of common prayer and adminiſtration of the ſacraments, againſt the ſtatute in that caſe made and provided. Mr. John Hampton was diſcharged, being a man of leſs intereſt. On this bill, the ſaid Mr. Francis Mackennie is bound over to the court in June, when he expects another jury of the ſame complexion, and that their deſign is then to make a prey of him. Except a ſpeedy relief be obtained, the iſſue will be, not only a vaſt oppreſſion on a very worthy ſervant of God, but alſo a confuſion upon the whole body of diſſenters in thoſe colonies, where they are languiſhing under my lord Cornbury's arbitrary and unaccountable government. We do therefore earneſtly ſollicit

1702. manuſcript minutes and letters, which I have ſeen, about the time, and after the ſettlement of the charter, take it for granted, that upon the death or abſence of the governor and lieutenant governor the ſenior counſellor would preſide, and an inſtruction from the crown has been given for that purpoſe; but the expreſſion in the charter, if it will admit of this conſtruction, does not favor it: We muſt not wonder therefore, that twenty-ſeven councellors did not readily give up their ſhare in the adminiſtration to him that happened to be the eldeſt. It is a defect in the conſtitution, for although, for certain purpoſes, ſeven councellors make a quorum, yet in all acts, as commanders in chief, it has been judged neceſſary, that fifteen (or a majority of the whole number) ſhould give their conſent. This muſt be extremely inconvenient, eſpecially in time of war, when diſpatch often, and ſecrecy, ſometimes, are of great importance.

Mr.

ſollicit you, that you would humbly petition the queen's majeſty on this occaſion, and repreſent the ſufferings of the diſſenters in thoſe parts of America which are carried on in ſo direct violation of her majeſty's commands, of the laws of the nation, and the common rights of Engliſhmen.

The diſtance of a thouſand leagues between England and theſe colonies, and the uncertainty of communication in this time of war, make our condition under oppreſſors the more inſupportable, e'er any relief or ſo much as a check, to ſuch a governor as my lord Cornbury, can be obtained; and beſpeaks the more lively compaſſion of thoſe unto whom we cry, as we now do unto you to be our advocates. It is the cauſe of the oppreſſed that you now have to plead; the cauſe of not only many thouſands in America, but of a great part of the Engliſh nation, and indeed the common cauſe of humanity itſelf. You may depend upon the truth of the repreſentation here laid before you, and it is to be wiſhed that it may be publiſhed unto the whole Engliſh nation.

The deſires of many, of the moſt eminent perſons in New-England, thus addreſs unto you by the pen of,

To Sir H. Aſhurſt, Sirs, your moſt humble ſervant.
Sir W. Aſhurſt, and
Sir Edm. Harriſon, London.

Mr. Stoughton's father was esteemed by the people; 1702.
was commander in chief of the forces of the colony in the first war against the Pequod Indians, and after that, many years a magistrate; and of a considerable estate for those times. This circumstance caused his own natural endowments, which were cultivated and improved by the best education the country afforded, to be more observed and valued. He was, in early life, a candidate for the ministry; † but the people judged him proper to take his father's place as a magistrate; then employed him as their agent in England; and urged him a second time to engage in the same service. It is no blemish in his character that he had many opposers. Every man, who makes it more his aim to serve than to please the people, may expect it. From the observations he made in his agency, he was convinced it was to no purpose to oppose the demands of king Charles; and from the example of the corporations in England, he was for surrendering the charter rather than to suffer a judgment or decree against it. In such case, a more favorable administration might be expected to succeed it, and in better times there would be a greater chance for re-assuming it. He consented to act as one of the council under Sir Edmund Andros, in hopes, by that means, to render the new form of government more easy. By this step he lost the favor of the people, and yet did not obtain the confidence

† Many gentlemen, before and since Mr. Stoughton, who have been probationers for the ministry, have afterwards made a figure at the bar, in the executive and legislative courts of the province, and gained great reputation; and some, who have been settled ministers, have not been less esteemed for leaving their parishes where an insufficient support has been afforded, or there has been other good cause assigned; but these instances are more rare. The New-England clergy do not assume an indelible character; however, after having been once ordained, or, to use one of their own as well as a scriptural expressive term, *seperated* to the work of the ministry, there seems to be some more special reasons requisite to justify the forsaking this than would be sufficient in the case of a civil employment or course of life.

1702. confidence of the governor, who would willingly have been rid of him, ſeldom conſulted him, and by the influence he had over the majority of the council, generally, carried the votes againſt his mind. He joined upon the revolntion with the old magiſtrates, who made no ſcruple of receiving him, in re-aſſuming the government; but upon the election afterwards made by the people he did not obtain a vote. At the deſire of the council and repreſentatives he drew up a narrative of the proceedings of Sir Edmund and his accomplices, ſigned by him and ſeveral others of the council;* in which they modeſtly take exception to many things in the adminiſtration, and exculpate themſelves from any ſhare in them. He was nine years lieutenant governor, and ſix of them commander in chief; had experienced the two extremes of popular and abſolute government; and not only himſelf approved of a mean between both, but was better qualified to recommend it, by a diſcreet adminiſtration, to the people of the province. He died a bachelor. Inſtead of children, he ſaw, before his death, a college reared at his expence, which took the name of Stoughton hall.† He had good reaſon to think it would tranſmit a grateful remembrance of his name to ſucceeding ages.

SIR

* They conclude their narrative with theſe words, "Theſe are "the chief matters which upon this occaſion, without any un- "due prejudice againſt any man, or deſign to juſtify the defects "of ourſelves in the performance of our own ſhares of duty, "but in anſwer to the deſire ſignified to us as above, we have "to ſet forth; profeſſing truly, that by ſuch a ſtate of things "as we had the experience and feeling of, the places that we "held were rendered exceeding uneaſy to us, and that out of "a ſincere reſpect to the proſperity of theſe their majeſty's "plantations, we could not but be very deſirous, that through "the favor of God and our ſuperiors, all due redreſs might in "a good happy ſeaſon be obtained; and the way of govern- "ing Engliſh ſubjects in their majeſties dominions, without an "aſſembly of the people's repreſentatives, be baniſhed forever.

"Will. Stoughton
"Thomas Hinkley Wait Winthrop
"Barth. Gedney Sam. Shrimpton."

† The foundation ſtone was laid the 9th of May 1698.

SIR Henry Aſhurſt* and Conſtantine Phips had continued agents for the province, in England, for ten years together. Divers attempts had been made, by Mr. Mather's friends, to ſend him again to England in the ſervice of the province; and, after Mr. Stoughton's death, the two houſes came to a reſolution to chuſe ſome perſon in the province, and ſend him to England as their agent; and a great intereſt was made that Mr. Mather might be the man; but it happened that Mr. Cooke, who had not forgot their former difference when joint agents, ſtood as well with the aſſembly at this time as he had ever done, and had influence enough to prevent Mr. Mather from ſucceeding. The choice fell upon Waitſtill Winthrop, grandſon to the firſt governor of the Maſſachuſets and ſon to the firſt governor of Connecticut, and who either out of reſpect to his family, or for ſome other reaſon which does not now appear, was conſidered as preſident of the council, although there were many who by priority of appointment, the rule generally obſerved, ſhould have preceded him. 1702.

THE French claim to the country eaſt of the river Kennebeck and to an excluſive fiſhery upon the ſea-coaſt were the reaſons publickly aſſigned for the choice of an agent at this time, and an addreſs to the king had paſſed the council and aſſembly, and Mr. Winthrop's inſtructions were prepared. Theſe proceedings of the French were really alarming. The profeſſed reaſons, however, were not the true reaſons. Mr. Dudley's ſollicitations for the government were known, and, although his intereſt in the province was increaſing, yet, a majority of the general court had a very ill opinion of him. Mr. Winthrop was a good ſort of a man, and although he was of a genius rather inferior to either of his anceſtors, yet he was popular, and the party againſt Mr. Dudley wiſhed to

* Sir Henry was finally diſmiſſed juſt before Lord Bellamont left the province.

1702. have him governor. They flattered themſelves that his being acceptable to the country would, together with his family and his eſtate, both which were of the firſt rate, be ſufficient to recommend him, but they were miſtaken. Winthrop was a plain honeſt man. Dudley had been many years well acquainted with the cuſtoms and manners of a court, and would have been more than a match for him. Juſt as he was about to embark, news came that Mr. Dudley was appointed governor and Thomas Povey lieutenant governor. The reaſon of Mr. Winthrop's appointment to the agency immediately appeared. The vote for his inſtructions was reconſidered and his voyage laid aſide. It was thought proper, however, that the addreſs to the king ſhould be forwarded. This was ſent to Mr. Phips. A ſecond addreſs accompanied it, occaſioned by advice of a bill being brought into the houſe of lords for diſſolving charter governments. It is not probable that the Maſſachuſets charter was the ſpecial occaſion of this bill. It differs ſo little from the commiſſions in the royal governments, as they are called, as not to be worth notice. About this time, or a little before, the ſpirit againſt the king had cauſed the reaſſumption of many grants which he had made of private eſtates. If there was a ſpecial prejudice againſt colony charters, it is probable the charter to Pennſylvania was the moſt exceptionable. The proprietor was obnoxious, had abſconded a few years before upon a ſuſpicion of treaſonable practices, and was ſtill under a cloud. The Maſſachuſets inſtruct their agent as follows. "As to the bill, ſaid to be lying before the houſe of lords, "for the diſſolving charter governments in the planta- "tions, we intreat you to be very watchful in that mat- "ter and uſe utmoſt diligence, by all convenient means, "to prevent our being comprehended in or concluded by "the ſame. Our circumſtances are different from thoſe "of other plantations under charter government, our firſt "ſettlement being wholly at our own coſt and charge,

"and

"and by our preſent ſettlement we are already reduced 1702.
"to a more immediate dependance on the crown, his ma-
"jeſty having reſerved to himſelf the nomination of our
"governor, lieutenant governor and ſecretary, and a
"negative on our laws." In their addreſs to the king they thus expreſs themſelves. "And foraſmuch as we "are given to underſtand that, through the ſuggeſtions "of ſome perſons not well affected to charter govern-"ments, a bill has been preferred in the houſe of lords "for vacating charter and proprietary governments with-"in your majeſty's plantations, we in all ſubmiſſion crave "leave humbly to pray your majeſty's grace and favor "towards your good ſubjects within this your province, "that no ſuch ſuggeſtions may make an impreſſion in "your royal breaſt to deprive us of thoſe privileges "which we enjoy under your majeſty's moſt gracious "grant, and that we may not be included in any ſuch "act to our prejudice, without having opportunity given "us of being heard and ſpeaking for ourſelves." The bill was dropped in the houſe of lords, and, a war with France being every day expected, the longeſt ſword was to determine the points complained of in the firſt addreſs.

THE ſending theſe addreſſes to Phips was grievous to Aſhurſt.† Although he had not very ſhining talents, yet being a member of parliament, having a great family intereſt, and being an honeſt man and conſcientious in the diſcharge of his truſt, he had been very ſerviceable

† Sir Henry Aſhurſt was ſon to Henry Aſhurſt, Eſq; who had a great hand in ſettling the corporation for propagating the goſpel among the Indians in New-England and parts adjacent. Sir Henry being a zealous diſſenter, accompanied Mr. Baxter when he was brought to his trial before a ſavage judge, was at the expence of fees for his counſel and, after the trial, led him through the crowd and conveyed him away in a coach. Notwithſtanding this, he was created a baronet in the ſame reign, when diſſenters, in oppoſition to the church of England, were in

1702. to the province. He had however the fate of moſt agents. Aſſoon as the party againſt him found they were ſtrong enough they left him out of the agency, and he made frequent complaints that they had ſlighted his ſervices and neglected giving him an adequate reward. All the agents who had been employed before him, except Mr. Winſlow, were unſucceſsful and ſeveral, probably for that reaſon, thought unfaithful. The firſt who were employed were Weld, Peters and Hibbins, in 1640. They borrowed money for the ſervice of the colony, and proper care not being taken by the government for the payment, theſe agents, for ſeveral years after, were contending about the proportion in which they ſhould pay it themſelves. Winſlow, who went over in 1646, ſoon found more profitable employment, but his allowance was ſo ſcant from the colony that the corporation for propagating the goſpel among the Indians allowed him £.100 ſterling for promoting that deſign, but wrote to the government that it ought to be reſtored. Bradſtreet and Norton were ſent in 1660. Norton laid the reproaches he met with ſo much to heart as to affect his health and ſhorten his life. In 1677 Stoughton and Bulkley were employed, and ſoon after their return it was ſaid by thoſe who charged Bulkley with too great compliance with court meaſures, that his ſun ſet in a cloud. He died of melancholy. Stoughton was reproached, and, although he had a majority of the court in his favor, he could not be prevailed on to riſque his reputation a ſecond time. Dudley and Richards were the next, in 1682. The former managed the whole buſineſs

in favor, juſt before the revolution. His lady was daughter of lord Paget. He died in 1710, leaving only one ſon, Sir Henry Aſhurſt, who married a daughter and coheireſs of Sir Thomas Draper, of Sunninghill-park, Berkſhire, and was member for Windſor in 1714, and died in 1732 without iſſue, ſo that the title is extinct, but the deſcendants of the firſt Henry by the younger branches remain, and the family is ſtill reſpectable.

buſineſs and bore the whole blame but, being of a very 1702.
different temper from ſome of his predeceſſors, inſtead of laying to heart the ſlight of his countrymen, he was politic enough to improve frowns at home to procure favors from abroad. Mather, Cooke and Oakes were employed to ſollicit the reſtoration of the firſt charter. In this they failed. Mather without the conſent of his brethren accepted the preſent charter, and although, at firſt, a majority of the court acknowledged his merit, the oppoſite party ſoon after prevailed, and he failed of his expected reward, and complained all his life of the ingratitude of his countrymen, after having ſpent not only his time but part of his eſtate in public ſervice. I would draw a veil over our tranſactions relative to agents, if my obligations to truth would permit me. Errors and failings, as well as laudable deeds, in paſt ages, may be rendered uſeful, by exciting poſterity to avoid the one and to imitate the other.

CHAP. II.

From the arrival of Governor Dudley, in 1702, to the arrival of Governor Shute, in 1716.

1702. MR. Dudley was received with ceremony and marks of reſpect, even by thoſe who had been his greateſt oppoſers in the reign of King James. Winthrop, Cooke, Hutchinſon,* Foſter, Addington, Ruſſell, Phillips, Browne, Sargent and others, who had been of the council which committed him to priſon, where he lay 20 weeks, were of the council when he arrived. Upon ſuch political changes, a general amneſty is oftentimes adviſeable and neceſſary.

THE affront and inſult ſhewn by Lewis the 14th, not only to the prince upon the throne, but to the Engliſh nation, in proclaiming another perſon king, had rendered a war with France inevitable, before the governor left England. The news of its being proclaimed arrived, in a few weeks after him. Nothing leſs could be expected than a war with the Indians alſo. Ever ſince the peace, in 1698, the governor of Canada, by his emiſſaries, had been continually exciting them to hoſtilities; and juſtified himſelf upon this principle, that the Indians having caſt themſelves upon the French, long ſince, as their protectors, and being proprietors of the eaſtern country, where the Engliſh had uſurped a juriſdiction, which as far weſtward as Kennebeck rightfully belonged to the French,

* Col. Hutchinſon had the command of the caſtle when Mr. Dudley's arrived, but was removed and ſucceeded by lieutenant governor Povey.

French, the Engliſh therefore were to be conſidered as 1702.
intruders and invaders upon the juriſdiction of the French and upon the property of the Indians.

THE governor, the firſt ſummer, viſited all the eaſtern frontiers as far as Pemaquid; taking ſuch gentlemen of the general court with him as he thought proper;† met the delegates from the Indian tribes and confirmed the former treaties which had been made. He had recommended, in his firſt ſpeech to the aſſembly, the rebuilding the fort at Pemaquid; and the gentlemen, who accompanied him eaſt, reported in favor of it, and their report was accepted by the council; but the houſe continued of the ſame mind they had formerly been, urging that all the money they could raiſe would be wanted for other ſervices more neceſſary than that, and refuſed to comply with the governor's propoſal. His heart was ſet upon it; the miniſtry continued their prejudice in favor of this particular ſpot, and, it is not improbable, that he had given encouragement he ſhould be able to carry a point, which his predeceſſors could not, and therefore was the more mortified at the failure.

THE Indians, upon the Maſſachuſets frontiers, continued quiet this year, but the Nova-Scotia Indians ſeized three of the fiſhing veſſels belonging to this province, upon a report that war was declared. The council attempted to recover them, and by the interpoſition of Bruillon, governor of Nova-Scotia, two, if not the third, were reſtored.

AT the firſt election Mr. Dudley treated the houſe 1703.
more cavalierly than Sir William Phips or Lord Bellamont had ever done. After the liſt of councellors elect had been preſented, "A meſſage was ſent, from his excellency, to deſire Mr. ſpeaker and the houſe forthwith to attend him in the council chamber; and, Mr. ſpeaker and the houſe being come up, his excellency obſerved to them,

† He always refuſed to allow the two houſes to appoint committees to attend him upon any treaties.

1703. that in their liſt of elections, preſented to him, he took notice that there were ſeveral gentlemen left out, that were of the council laſt year, who were of good ability, for eſtate and otherwiſe, to ſerve her majeſty and well diſpoſed thereto, and that ſome others who were new elected, were not ſo well qualified; ſome of them being of little or mean eſtate; and withal ſignified, that he ſhould expunge five of the names in their liſt, viz. Eliſha Cooke and Peter Sargent Eſq's, Mr. Thomas Oakes, Mr. John Saffin and Mr. John Bradford, and diſmiſſed the houſe, who returned to their chamber:"* Cooke had been of the council nine or ten years, had been aſſiſtant before the revolution, married a daughter of governor Leveret, and was allied to the beſt families in the province, had a better eſtate than the governor himſelf, but then he had been agent in England, and diſcovered greater zeal for proſecuting the complaints againſt Andros, Dudley, &c. than any of his fellow agents. Sargent had married the relict of Sir William Phips. Oakes had been one of the agents in England alſo, and under the direction of Cooke. Saffin was a principal inhabitant of Briſtol, (the father of Thomas Saffin in Stepney church yard, whoſe memory the author of the ſpectator has immortalized) and Bradford was grandſon of the firſt worthy governor of Plimouth.

THERE had been but one inſtance, of the governor's refuſal of a councellor, ſince the charter. The right of refuſal could not be diſputed. Had the power been frequently exerciſed, leſs exception would have been taken to this inſtance; but the long diſuſe of it cauſed the re-aſſumption of it, upon ſo many perſons at once, to be more diſagreeable. Oakes was of the Houſe, and, notwithſtanding the negative as a councellor, remained there; and, if he could be of any conſequence, this would add to his weight.

LORD Cornbury, governor of New-York, ſome time in the month of May, adviſed Mr. Dudley of an army of

* *Gen. court records.*

of French and Indians, intending to make a deſcent upon 1703.
Deerfield, in the Maſſachuſets province. The intelli-
gence was brought to Albany, by ſome of the praying or
hriſtianized Mohawks, who had been to viſit their
riends at Cagnawaga in Canada, who formerly had be-
onged to the ſame village, about 40 miles from Albany.
This deſign was not immediately carried into execution.

WHILST every one was fearing hoſtilities from the
ndians, ſeveral Engliſhmen, pretending friendſhip to
aſtine, ſon of the Baron de St. Caſtine by an Indian
oman, who now lived at Penobſcot, plundered his
ouſe, &c. and made great ſpoil. Upon his complaint
the government, he was aſſured the action ſhould not
o without due puniſhment, and that reſtitution ſhould
made. About the ſame time, the Indians did miſ-
ief to ſome of the people upon Kennebeck: Which
ion was firſt, I cannot aſcertain. Perhaps neither of
em was from reſentment or revenge for the other.

BEFORE the end of the year, the blow threatned in
beginning of it, was ſtruck upon Deerfield. This was
moſt remote ſettlement upon Connecticut river, ex-
ot a few families at Squakheag or Northfield adjoining
it. Deerfield, being eaſieſt of acceſs of any place
on the river, had often ſuffered by ſmall parties. In
97, an attempt was made upon it, but failed of ſucceſs,
ough the vigilance and bravery of the inhabitants,
h Mr. Williams their miniſter at their head. Col.
uyler, of Albany, had obtained information of the
gns of the enemy upon it this year, and gave notice
ſonable enough to put the people upon their guard.
was afterwards thought remarkable, that the miniſter
it ſtrongly impreſſed upon his mind, that the town
ld be deſtroyed. It would not have been very
nge if this impreſſion had never been off his mind.
warned his people of it in his ſermons, but too many
e light of the intelligence, and of the impreſſions which
rally followed. The government, upon his applica-
ordered 20 ſoldiers as a guard. The party, which

had

1703. had been fitted out at Canada, conſiſted of about 300 French and Indians, under Hertel de Rouville, who had four brothers with him; their father had been a noted Partiſan, but was now unable to take ſo long a march. They came upon the town, the night after the 28th of February. In the fore part of the night, and until about two hours before day, the watch kept the ſtreets; and, then, unfortunately went all to ſleep. The enemy, who had been hovering about them, and kept continually reconnoitring, perceived all to be quiet, and firſt ſurprized the fort or principal garriſon houſe. The ſnow was ſo high, in drifts, that they had no difficulty in jumping over the walls. Another party broke into the houſe of Mr. Williams, the miniſter, who, riſing from his bed, diſcovered near 20 entring. He expected immediate death, but had the firmneſs of mind to take down a piſtol, which he always kept loaded upon his teſter, and to preſent it to the breaſt of the firſt Indian who came up to him. The piſtol, fortunately for Mr. Williams, ſnapped only and miſſed fire. Had he killed the Indian, his own life no doubt would have been taken in revenge. Being, in effect, diſarmed, he was ſeized and pinioned, and kept ſtanding, in his ſhirt only, in that cold ſeaſon, the ſpace of an hour. In the mean time, his houſe was plundered, and two of his children and a negro woman murdered. His wife and five other children were ſuffered to put on their cloaths, and then he himſelf was allowed to dreſs and prepare for a long march.

OTHER parties fell upon other houſes in the town, and ſlew about 40 perſons, and made about 100 more priſoners. Sun about an hour high, the enemy had finiſhed their work, and took their departure, leaving all the houſes, outhouſes, &c. in flames. Mrs. Williams had ſcarcely recovered from her lying in, and was in a weak ſtate. The enemy made all the haſte they could, leſt a ſuperior force ſhould overtake them. The ſecond day ſhe let her huſband know ſhe was unable to travel any farther, as faſt as they did. He knew the conſequence

and would gladly have remained with her and aſſiſted her; but they had different maſters, and leave could not be obtained, and he was carried from her and ſoon after heard that her maſter had ſunk his hatchet into her brains. One cannot eaſily conceive of greater diſtreſs, than what an affectionate huſband muſt then have felt. About twenty more of the priſoners, in their travel towards Canada, gave out and were killed alſo.* They were 25 days between Deerfield and Chambli, depending upon hunting for their ſupport as they travelled. † Vaudreuil, the French governor of Canada, treated theſe priſoners with humanity; and although the Indians have been encouraged, by premiums upon priſoners and ſcalps, to 1703.

* This is not mentioned as an inſtance of ſavage barbarity. Their own preſervation often depends upon their deſtroying their priſoners. Henry the fifth of England killed, in cold blood, the flower of France, when he ſuppoſed his own little army to be in danger. The Indians, after theſe onſets, always expected to be purſued. If they left their grown captives in the woods they would diſcover them to their purſuers, if ſuch captives ſhould be found by them. To leave young children to die would be more cruel than to kill them outright. Their barbarities are committed, when they are intoxicated with liquor or enraged with paſſion. Some of the children, who were taken at Deerfield, they drew upon ſlays; at other times they have been known to carry them in their arms or upon their backs to Canada. This tenderneſs has occaſioned the beginning of an affection, which in a few years has been ſo rivetted, that the parents of the children, who have gone to Canada to ſeek them, could by no means prevail upon them to leave the Indians and return home. One of Mr. Williams's daughters married an Indian huſband and yet lives with them. I ſaw at Albany two or three men, in the year 1744, who came in with the Indians to trade, and who had been taken at Groton in this, that is called Queen Ann's war. One of them —— Tarbell, was ſaid to be one of the wealthieſt of the Cagnawaga tribe. He made a viſit in his Indian dreſs and with his Indian complexion (for by means of greaſe and paints but little difference could be diſcerned) to his relations at Groton, but had no inclination to remain there.

† Moſt of the captives were redeemed after ſome years. Two of Mr. Williams's ſons, after their return, were worthy miniſters, of amiable characters, one at Waltham, now deceaſed; the other ſtill living at Long-Meadow in Springfield.

1703. to lay waſte the Engliſh frontiers, yet the captives, who have been carried to Canada, have often received very kind uſage from the French inhabitants.

THE unfortunate provinces, of Maſſachuſets-bay and New-Hampſhire, were the only people upon the continent againſt whom the French and Indians, during a ten years war, exerted their ſtrength. Connecticut and Rhode-Iſland were covered by the Maſſachuſets. New York took care of themſelves, and of the colonies ſouth of them, by a neutrality which the Iroquois or ſix nations (influenced by thoſe who had the direction of Indian affairs) engaged to obſerve between the Engliſh and French. This was, in effect, a neutrality between the French and the Engliſh governments to the ſouthward of New-England. Nothing could be more acceptable to the Canadians. The New-England governments felt the terrible conſequences. Charlevoix gives this account of it. "Teganiſſorens arrived, a little while after, at "Montreal, and, in the conference which he had with "the commander in chief, he appeared, at firſt, to be "out of humor, which boded ill to the buſineſs he "came upon. The Europeans, ſays he, are an out of "the way people; after they have made peace, one with "another, they go to war again, for meer nothing at all. "This is not our practice; after we have once ſigned to "a treaty, there muſt be ſome very ſtrong reaſons to "induce us to break it. He went on and declared, that "his nation ſhould not engage in a war which they did "not approve of, neither on one ſide nor the other. "Monſ. de Vaudreuil let Teganiſſorens know, that he "deſired nothing further; and, that the Iroquois might "have no pretence to break ſo advantageous a neutrality, he determined to ſend out no parties towards "New-York." Again, upon another occaſion, "At all "events, the ſix nations, and eſpecially the Tſonon-"heans,* were reſolved ſtrictly to obſerve the neutrality "which they had ſworn, and of which they had begun "to

* Senecka's.

" to feel the benefit; but you may ſee that they were 1703.
" much ſet upon including the Engliſh, that they might
" be conſidered as mediators between them and us.
" Mr. Vaudreuil, who had very early ſeen through their
" deſign, had acquainted the court with it, and received
" for anſwer, that if he was able to carry on the war
" to advantage without putting the crown to any ex-
" traordinary expence, he ſhould reject the propoſals of
" the Iroquois; otherwiſe, he might ſettle a neutrality
" for America, upon the beſt terms he could, but that
" it was not for his majeſty's honor that his governor
" and lieutenant general ſhould be the firſt mover of it.
" The miniſter added, that he thought it would be moſt
" proper for the miſſionaries to let the Indians know,
that the French did not deſire to diſturb the peace of
the country; that altho' they were very well able to
carry on a vigorous war, yet they preferred the quiet
of Canada to all the advantages they might reap from
the ſuperiority of their arms; and if the ſix nations,
convinced that this was our diſpoſition, ſhould cauſe the
Engliſh to aſk a neutrality for their colonies, M. Vau-
dreuil might conſider of it; but that he ſhould not
come to a concluſion without orders from the king."

I am ſenſible Charlevoix ſays, that " the Boſtoneers
would have obtained the ſame thing from the Abena-
quis or eaſtern Indians." It is certain, that the Maſſa-
uſets government would have been content (provided
e eaſtern Indians had continued at peace with the
gliſh) that they ſhould not be obliged to go to war
ainſt the French; but the Maſſachuſets, in all their
aties with the eaſtern Indians, made peace for the other
vernments as well as for themſelves; and hoſtilities
ainſt Connecticut or New-York would have been deem-
a breach of the peace, as well as thoſe againſt the
ſſachuſets; whereas the New-Yorkers, or rather the
anians, ſuffered the Canada Indians to go through
ir province and fall upon any of our frontiers, with-
looking upon it to be a breach of the neutrality, and

carried

1703. carried on great trade both with French and Indians, at the ſame time; and ſometimes the plunder, made in the county of Hampſhire, became merchandize in Albany. Some of the beſt people deteſted ſuch proceedings, particularly Col. John Schuyler of Albany; who, by means of the Indians of the ſix nations in the Engliſh intereſt, informed himſelf of the intended expeditions of the French, and French Indians, and gave frequent notice to the people upon our frontiers to be upon their guard; but moſt of the inroads made upon us he had it not in his power to diſcover.

THAT the French might improve this plan to greater advantage, they drew off, about this time, a great number of the Abenaquis families from Penobſcot, Norridgewock, Saco, Pigwacket, &c. and ſettled them at Becancour and St. Francois, in Canada, where they were known to the Engliſh by the name of St. Francois Indians. Here they were under the conſtant direction of the governor of Canada, and were ſent out, from time to time, with parties of the ſix nations in the French intereſt and French Canadians, to maſſacre the men, women and children upon the eaſt and weſt frontiers. Charlevoix ſays "they were intended as a barrier againſt the inroads of "the ſix nations, in caſe of a future war between them "and the French."

THE Maſſachuſets, thus harraſſed and perplexed, thought it neceſſary to remain no longer on the defenſive only; and, in the fall, ſent out three or four hundred men to a noted ſettlement of the Indians at Pigwacket, and another party to the ponds, Oſſapy, &c. upon the back of the eaſtern frontier; but neither party met with the enemy. Soon after, Col. March going out with another party, killed and took about a dozen of the enemy. This meaſure not anſwering expectation; to encourage ſmall parties of the Engliſh to go out and hunt the Indians, the general court promiſed a bounty or reward no leſs than forty pounds, for every Indian ſcalp. Capt. Tyng went out in the winter and brought in five.

In the ſpring, another project was tried. About an 1704.
undred Indians were obtained from Connecticut and
oſted at Berwick, in the county of York; but theſe In-
ians were not only ſtrangers to the woods, and wholly
norant of the frontiers of Canada, but by long living
a depreſſed ſtate among the Engliſh, were diſpirited,
nervated and unfit for this ſervice, and nothing remark-
ble was effected. Had not the ſix nations been reſtrain-
d, parties of them, harraſſing the French ſettlements,
ould have induced the French, for their own preſerva-
on, to have ſuffered the frontiers of New-England, as
ell as New-York, to have remained unmoleſted.

All theſe attempts failing, a ſtill more expenſive
ndertaking was agreed on. It was ſuppoſed, that an
my, to ſweep the coaſt and country from Piſcataqua
ver to Nova-Scotia, would ſtrike terror into the Indians
d bring them to reaſon. Col. Church, noted for his
xploits in former wars, eſpecially in Phillip's war, was
tched upon to command in this expedition, and had
rders to inliſt as many as he could, both of Engliſh and
dians, who had been in ſervice before. This is called,
Charlevoix, an expedition againſt Portroyal; but
hurch was inſtructed not to make any attempt againſt
e fort there, and to ravage the country only. Mr.
udley had intimations of the Queen's intention, to ſend
ips the next year for the reduction of that fortreſs.†

Church had 550 ſoldiers under him, in 14 ſmall
anſports, and was provided with 36 whaleboats, and
nvoyed by the Jerſey man of war, of 48, the Goſport
32, and the province ſnow of 14 guns. He ſtopped
ſt at Montinicus, and ſent two of his boats to Green-
land, where he took four or five French and Indians,
no ſerved him for pilots up Penobſcot river and to the
dian ſettlements there. In this river he killed and took
captive

† This he, publickly, gave as his reaſon. His enemies charged him with a ſecret deſire that the place might be preſerved, for the ſake of unlawful trade with the inhabitants in which he was to be a ſharer.

1704. captive divers of the enemy; among the captives were Caſtine's daughter and her children, her huſband and father being gone to France, where Caſtine had an eſtate upon which he lived after he left America. The tranſports lay at Mount Deſart. Church, having taken from them a freſh ſupply of proviſions, went in the boats up the weſtern Paſſimaquady. In the harbour, he found only a French woman and her children, upon an iſland, and another family upon the main, near to it. He then went up the river, where he took priſoners, Gourdon a French officer and his family, who lived in a ſmall cottage. Church ſeeing ſome of his men hovering over another hut, he called to them to know what they were doing; and upon their reply, that there were people in the houſe who would not come out, he, haſtily, bid his men knock them in the head; which order they immediately obſerved. He was much blamed for this, after his return, and excuſed himſelf but indifferently. He feared the enemy might fall upon his men, who he ſaw were off their guard, which put him in a paſſion. He went as high up the river as the falls, taking or deſtroying all in his way; miſſed Chartiers, another French officer who lived or was poſted there. The tranſports took in the forces at the harbour or mouth of the river, and carried them to Menis; the men of war ſtanding for Port-royal. At Menis, he met with ſome oppoſition, the enemy firing from the banks as he rowed up the river to the town; but he loſt none of his men. They found plenty, not only of freſh proviſions but good liquor in the town, which occaſioned ſuch diſorders among the men, eſpecially the Indians, that it was neceſſary to ſtave all the caſks which had any wine or ſpirits in them, and it was done accordingly. Here, the lieutenant of Church's own company, Barker, (Charlevoix calls him the lieutenant general) and one man more were ſhot down, which were all that were loſt in the expedition. After plundering the inhabitants of all their goods, they ſet the town on fire, and then embarked on board the tranſports.

The

The inhabitants of a village, upon another branch of the river, ſuppoſed the Engliſh to be gone, and that they ſhould eſcape; but Church went back with his boats, and, going up this branch, came unexpectedly upon the village and took what priſoners he had a mind to, and among the reſt, two gentlemen who had been ſent by the governor of Port-royal to bring two companies of ſoldiers for the defence of the place againſt the men of war which appeared in the gut. Church gave the gentlemen leave to return, for the ſake of ſending a meſſage by them to the governor, to deſire him to acquaint the governor of Canada, that if he did not prevent his French and Indians from committing ſuch barbarities upon poor helpleſs women and children, as the people of Deerfield had ſuffered the laſt year, he would return with a thouſand Indians and let them looſe upon the frontiers of Canada to commit the like barbarities there. This the French governor muſt know to be a gaſconade. 1704.

THE forces, after this, went up what is called the eaſtern river and deſtroyed the ſettlements there, and then returned to the tranſports, and joined the men of war at Port-royal; where it was agreed, both by ſea and land officers, that no attempt ſhould be made. The men of war returned to Mount Deſart harbour, and Church, with his tranſports, went up to Chignecto. The inhabitants all fled, taking with them as much of their ſubſtance as they could carry away; the reſt they left to the mercy of the Engliſh, who laid all waſte. From Chignecto they went to Mount Deſart; the men of war being gone to Boſton, the tranſports followed; and ſtopping at Caſco-bay, Church found orders lodged there, from the governor, to go up Kennebeck river as far as Norridgewock fort; but having intelligence that it was deſerted, and his men having undergone much fatigue, he thought it beſt to return home.

THIS expedition Mr. Dudley ſuppoſes, in his ſpeech to the aſſembly, ſtruck great terror into the Indians, and drove them from our frontiers; but it appears from

1704. Church's journal, that the poor Acadians, who had been so often ravaged before, were the principal ſufferers now, and that the Indians were little or nothing annoyed.*

AN exploit of Caleb Lyman, of Northampton, deſerves to be recorded. Hearing of a ſmall party of Indians at Cohaſs, far up Connecticut river, he went out with only five friend Indians, and, after nine or ten days travel, came upon the enemy Indians in the night, killed ſeven out of nine, the other two eſcaped, but wounded.

THIS may be placed among the favorable years; but the frontiers were not without annoyance. In April, an Indian ſcout killed Edward Taylor at Lamprey river and carried his wife and child to Canada; Major Hilton with 20 men purſuing without overtaking them. They lay in wait to take Major Waldron at Cochecho, but miſſed him, carrying off one of his ſervants in his ſtead. July 31. About four hundred, French and Indians, fell upon Lancaſter, and aſſaulted ſix garriſon houſes at the ſame time, which made a brave defence. They burned many

* Mr. Dudley laid himſelf open to cenſure. The profeſſed deſign was the reduction of Port-royal. When it was known that this never was the real deſign, it was not an eaſy thing to perſuade the people that want of orders from the queen was the true cauſe. A correſpondence between the friends of the governor and the French in Acadie was ſuſpected, and it was ſaid the place muſt be preſerved for the ſake of trade, in the profits of which the governor was to have his ſhare. "When Church went with his forces to Port-royal he could eaſily have taken the fort, or done any thing in the world, but the reaſon which he has often given for his not doing it is, becauſe you abſolutely forbad him, you peremptorily forbad him. The cauſe you aſſigned was, becauſe the matter had been laid before the queen, and the queen had ſent over no orders for it, and though the queen had ſent no orders we ſend with a pretence to take it.——But the ſtory grows now too black a ſtory for me to meddle with it——The expedition baffled——The fort never ſo much as demanded——An eternal grave ſtone laid on our buried captives——A neſt of hornets provoked to fly out upon us——A ſhame caſt upon us that will never be forgotten——I dare not, I cannot meddle with theſe myſteries."
——*Cotton Mather's letter to Gov. Dudley, Jan.* 20. 1707.

many other dwelling houſes and the meeting houſe. An alarm was ſoon ſpread, and 300 men were in the town before night, who engaged the enemy with ſome loſs on both ſides. The beginning of Auguſt, a party of the enemy, lying in wait, fired upon a ſmall ſcout going from Northampton to Weſtfield, killed one man and took two priſoners; but more of our forces being behind, they came up, retook the two men and killed two of the Indians. Soon after, they killed lieutenant Wyler and ſeveral others at Groton, and at a plantation called Naſheway. 1704.

Almſbury, Haverhill and York, in the Maſſachuſets; and Exeter, Dover and Oyſter river, in New-Hampſhire, ſuffered more or leſs, this ſummer, by the enemy.

THE licentious practice, indulged among the ſeamen, of making depredations upon foreign nations in the eaſt and weſt Indies was not wholly ſuppreſſed. John Quelch (who had been maſter of the brigantine Charles, and had committed many piratical acts upon the coaſt of India) came with ſeveral of his crew and landed, ſome in one part of New-England, ſome in another. Quelch and ſix more were condemned at Boſton and executed. Some were admitted to be witneſſes for the king, ſome reprieved, and ſome pardoned. The governor, upon this occaſion, found old prejudices againſt him reviving. Reports were ſpread, of large ſums of money falling into the hands of the governor and of his ſon, the queen's advocate, which however groundleſs eaſily obtained credit.†

† I have taken ſo many facts and remarks, in my firſt volume, from a manuſcript hiſtory of Mr. William Hubbard, one of the miniſters of Ipſwich, that I may not omit taking notice of his death, Sept. 14th, 1704, at the age of 83 years; and giving him the character, he deſerved, of a man of learning, of a candid and benevolent mind, accompanied, as it generally is, with a good degree of catholiciſm; which, I think, was not accounted the moſt valuable part of his character in the age in which he lived. Among his other children, Nathanael Hubbard, Eſq; ſhone with peculiar luſtre, inherited his father's virtues, eſpecially that amiable ſpirit of benevolence. He was of the council, and one of the juſtices of the ſuperior court, too late in life for his country to reap any long benefit.

The

1705. MR. Dudley's principles, in government, were too high for the Maſſachuſets people. He found it very difficult to maintain what appeared to him to be the juſt prerogative of the crown, and at the ſame time to recover and preſerve the eſteem of the country. The government had been ſo popular under the old charter, that the exerciſe of the powers reſerved to the crown by the new charter was ſubmitted to with reluctance. Sir William Phips was under the influence of ſome of his council and ſome of the miniſters of note, and ſuffered remains of cuſtoms under the old form, hardly conſiſtent with the new. Mr. Stoughton, expecting every day to be ſuperſeded, avoided all occaſions of controverſy. Lord Bellamont, indeed, in ſome inſtances, aſſumed more than he had right to. His quality and the high eſteem, at firſt, conceived of him, prevented any controverſies, during his very ſhort adminiſtration. Mr. Dudley ſet out, with reſolution, to maintain his authority. The people were more jealous of him than they would have been of any other perſon. His negativing five of the council, the firſt election, was an unpopular ſtroke. The next year (1704) the two houſes choſe again two of the negatived perſons, Mr. Cooke and Mr. Sargent, and the governor again refuſed to approve of them. They were ſuch favorites of the houſe, that the ſpeaker, the houſe

The governor, in the month of March this year, returning by water from his other government of New-Hampſhire, before the brigantine in which he had taken his paſſage came up with Cape Ann, was ſurprized with as violent a ſtorm as had been known and of as long continuance. There being advice brought to Boſton of his ſailing from Portſmouth and no further intelligence of him, it was generally apprehended that the veſſel muſt have foundered. At length came news of his arrival in the harbour of Gloceſter, having been four days at anchor on the back of the cape, expecting every hour to periſh. In a proclamation for a public thankſgiving, a few days after notice is taken of his wonderful preſervation from ſhipwreck.

Ap. 4. 1704, died at Newbury Daniel Pierce, Eſq; of the council.

July 20. 1704, died at Marſhfield Peregrine White, aged 83 years and 8 months, the firſt born in Plimouth colony.

houſe being preſent, addreſſed his excellency and pray- 1705.
ed him to reconſider his negative, and to approve of the choice. This was out of character, and the houſe diſhonoured themſelves and had the mortification of being denied. This year, neither of the perſons were choſe of the council, but one of them, Mr. Oakes, being choſen ſpeaker of the houſe, upon the governor's being acquainted therewith, he ſignified to the houſe that he diſapproved of their choice, and directed them to proceed to the choice of another, which they refuſed to do. It had been always the practice, for the governor to give directions to the two houſes to proceed to the choice of councellors; but the diſpute about the ſpeaker prevented it at this time, the council inſerted themſelves, and the queſtion being put, whether it was in the governor's power, by virtue of the charter, to refuſe the election of a ſpeaker and direct the choice of another, they determined it was not, and immediately joined the houſe in electing councellors. The next day the governor declared, that he looked upon it to be her majeſty's prerogative to allow or diſallow the choice of a ſpeaker, but he would not delay the aſſembly by diſputes, when the affairs of the war were ſo preſſing, ſaving to her majeſty her juſt rights at all times.

THE governor had it in ſpecial command to recommend three things to the aſſembly; the rebuilding the fort at Pemaquid; the contributing to a fort at Piſcataqua; and the eſtabliſhing honorable ſalaries for the governor, lieutenant governor and judges of the courts. He had been preſſing theſe things from his firſt arrival, but could obtain neither of them, and as to ſalaries, they not only refuſed fixing a ſalary, but allowed him only £.500 per annum, viz. 300 of it in the ſpring and 200 in the fall. To the lieutenant governor they gave £.200 annually, as lieut. governor and captain of the caſtle; and although it was more than any lieut. governor has received ſince, yet he found it inſufficient to ſupport him, and this year, by the way of Liſbon, went back to Eng-

1705. land and never returned to the province. A meſſage from the houſe this year to the governor, though not very elegant, ſhews the ſenſe they had of theſe matters.

"May it pleaſe your excellency,

"IN anſwer to thoſe parts of your excellency's "ſpeech, at the beginning of the ſeſſion, referring "to her majeſty's directions for the building a fort at "Pemaquid, contributing to the charge of a fort at "Piſcataqua, and ſettling of ſalaries, we crave leave to offer,

"IMPRIMIS, as to the building a fort at Pemaquid, "we are humbly of opinion, that her majeſty hath re- "ceived miſrepreſentations concerning the neceſſity and "uſefulneſs of a fort there; wherefore, this houſe, in "their humble addreſs to her majeſty, dated the 27th of "March 1703, and ſince twice repeated, did among "other things lay before her majeſty our reaſons why we "could not comply with her expectations in that affair, as

"FIRST, the little benefit ſaid fort was to us, not be- "ing, as we could diſcern, any bridle to the enemy or "barrier to our frontiers, being out of the uſual road of "the Indians and one hundred miles diſtant from any "Engliſh plantation; and ſeemed only to make an an- "chorage for a few fiſhing boats, that accidentally put in "there; but the expence thereon was very great, not "leſs than twenty thouſand pounds.

"SECONDLY, the charge of the ſaid fort will be "ſuch that we cannot ſee how the province can poſſibly "ſuſtain it, having already laid out ſeveral large ſums of "money in raiſing new fortifications at Caſtle Iſland, &c. "which was ſet forth in the addreſs and memorial ac- "companying the ſame; but we underſtand we have "been ſo unhappy, as that the ſaid addreſs and memo- "rial did not reach her majeſty's hands, becauſe proceed- "ing from this houſe alone, although the addreſſing her "majeſty is a privilege ever allowed to the meaneſt of her "ſubjects. We did therefore at our ſeſſion in February "laſt join the council, in making our humble addreſs to "her

" her majeſty upon the affair aforeſaid, which we hope, 1705.
" hath ſome time ſince arrived to her majeſty's favora-
" ble acceptance.

" THE ſecond article is the contributing to the charge
" of Piſcataqua fort.——The fort in that province has
" been built ſeveral years paſt, when it was not deſired or
" thought neceſſary that this province ſhould aſſiſt them
" therein. The late reforms and reparations made of
" the ſame, as we have been informed, ſtands that whole
" province about the ſum of five hundred pounds, which
" doth not amount to the quota of ſeveral particular
" towns, within this province, towards the charge of the
" war one year; and all the navigation and trade of this
" province, coming down Piſcataqua river, have been
" charged with a conſiderable duty towards the ſupport of
" that fort; and this province hath always afforded ſuch
" guards as were needful for their haling of maſts, tim-
" ber, &c. for her majeſty's ſervice, whilſt the principal
" benefit and advantage of the trade hath accrued to that
" province. And they have never contributed any thing
" to the charge of our forces, forts and garriſons, or
" guard by ſea, that are as great a ſafety and defence to
" them as to ourſelves; but the public charge of that
" government has been much leſs proportionably than
" the charge of this; which being conſidered we hope
" no aſſiſtance will be expected from us towards the
" charge of the ſaid fort.

" THIRDLY, as to the ſettling fixed ſalaries, the cir-
" cumſtances of this province, as to our ability to ſupport
" the government, are at times ſo different, that we fear
" the ſettling of fixed ſalaries will be of no ſervice to
" her majeſty's intereſt, but may prove prejudicial to her
" majeſty's good ſubjects here: and as it is the native
" privilege and right of Engliſh ſubjects, by conſent of
" parliament, from time to time, to raiſe and diſpoſe of
" ſuch ſums of money, as the preſent exigency of affairs
" calls for; which privilege we her majeſty's loyal and
" dutiful ſubjects have hitherto lived in the enjoyment

1705. "of, ſo we hope and pray always to enjoy the ſame "under our moſt gracious ſovereign and her ſucceſſors."

THE governor then propoſed the ſeveral matters to the council.

1ſt. Whether they adviſed to the building a fort at Pemaquid.

2d. Whether they adviſed to a contribution towards the charge of Piſcataqua fort.

3d. Whether they adviſed to the ſettling a fixed ſalary for the governor and lieutenant governor for the time being.

And they gave a negative anſwer to each queſtion.

IT was a great diſappointment, to be able to carry neither of theſe points, which the miniſtry were very much ſet upon, and which it is not improbable they were encouraged might be obtained. Had they been matters leſs unpopular, yet the governor's weight, at this time, would have been ſcarce ſufficient to have carried them through. The prejudices againſt him were great. The people in general looked upon him as an enemy, even to the privileges of the new charter. Sir Henry Aſhurſt procured an original letter, wrote by the governor's ſon Paul, who was then attorney general, to Mr. Floyd, and ſent it to New-England, in which were theſe expreſſions, "the government and college are diſpoſed of here in "chimney corners and private meetings, as confidently as "can be—this country will never be worth living in for "lawyers and gentlemen, till the charter is taken away— "My father and I ſometimes talk of the queen's eſta- "bliſhing a court of chancery in this country. I have "wrote about it to Mr. Blathwait." Copies were diſperſed about the province, and the letter was ſoon after printed. Mr. Dudley had no reſt the firſt ſeven years; beſides the oppoſition he met with in his adminiſtration, endeavors were uſing, ſoon after his arrival, to ſupplant him, and his enemies prevailed upon Sir Charles Hobby,

(who

(who had been knighted as ſome ſaid for fortitude and reſolution at the time of the earthquake in Jamaica, others for the further conſideration of £.800 ſterling) to go to England and ſollicit for the government. He was recommended to Sir H. Aſhurſt, who at firſt gave encouragement of ſucceſs. Hobby was a gay man, a free liver and of very different behaviour from what one would have expected ſhould have recommended him to the clergy of New-England; and yet, ſuch is the force of party prejudice, that it prevails over religion itſelf, and ſome of the moſt pious miniſters ſtrongly urged, in their letters, that he might be appointed their governor inſtead of Dudley; for which Aſhurſt himſelf, after his acquaintance with Hobby, reproves and cenſures them. 1705.

THE governor, this year, ſent Mr. Livingſton, William Dudley the governor's ſon, and two or three other gentlemen, to Canada, for the exchange of priſoners; who brought back with them Mr. Williams the miniſter and many of the inhabitants of Deerfield, with other captives. Vaudreuil, the French governor ſent a commiſſioner to Boſton, with propoſals of neutrality, which were communicated to the general court, who did not think proper to take any ſteps towards effecting it. They wiſhed and hoped inſtead of a neutrality for the reduction of Canada; whereas the employment given to the French ſtrength in Europe might well cauſe Vaudreuil to fear the want of protection and diſpoſe him to ſecure himſelf by a neutrality. Dudley, however, kept the matter in ſuſpence with Vaudreuil for ſome time, and to the policy of his negotiation it was owing, that the people upon the frontiers enjoyed remarkable tranquility, and he values himſelf upon it in his ſpeech to the general court. Charlevoix ſays, "it was evident Mr. Dudley had no intention to agree, that he was a long time in treaty and at length declared that he could come to no agreement without the conſent of the other Engliſh colonies; and thereupon Vaudreuil cauſed hoſtilities to be renewed againſt the people of

"New-

1705. "New-England. He adds, that the Canadians were "much diſſatisfied with their governor, for ſuffering Mr. "Dudley's ſon* to remain ſome time at Quebec, under "pretence of finiſhing the treaty, and for permitting a "New-England brigantine to go up and down the river."†

1706. ANOTHER negotiation, the next year, had a leſs deſirable effect. William Rowſe was ſent in a ſmall veſſel, to Nova-Scotia, as a flag of truce. He tarried there a long time, and brought back only ſeventeen priſoners. Being ſent a ſecond time, he brought no more than ſeven. Much greater numbers were expected, conſidering the time ſpent in procuring them. Upon his laſt return, it was charged upon him, that inſtead of employing his time in redeeming captives, he had been trading with the enemy and ſupplying them with ammunition and other ſtores of war. Rowſe, upon examination, was committed to priſon. Samuel Vetch, afterwards Col. Vetch, and governor of Nova-Scotia; John Borland, a merchant of note in Boſton, and Roger Lawſon, were all apprehended and examined, and bound to anſwer at the ſuperior court. There was a general clamour through the province; and it was whiſpered about, that the governor was as deeply concerned as any of the reſt, and ſuch reports againſt a governor as eaſily obtain credit, with many, without grounds, as with.‡ The houſe of repreſentatives took the firſt opportunity of ſatisfying themſelves. It was ſuggeſted there, that the ſuperior court had no cognizance of the offence; and that admitting Nova-Scotia to be part of the province, yet it was not within the bounds of any county, and there was no authority, but the general court, that could puniſh it. (The carrying

* Afterwards, Col. Dudley, the governor's youngeſt ſon, many years a member of the houſe, ſpeaker, and then of the council, deſervedly eſteemed and conſtantly employed in the moſt important ſervices of government.

† Thomas Hinkley Eſq; many years governor of Plimouth colony died at Barnſtable aged 74.

‡ *Tam fidi pravique tenax quam nuncia veri.* VIRG.

carrying the goods from Boſton and the conſpiracy there, were not conſidered.) Beſides, no perſons could be ſuppoſed to have the public intereſt ſo much at heart, and none ſo like to ſearch to the bottom. They thereupon reſolved, that the ſuperior court had not juriſdiction, and that a parliamentary enquiry was neceſſary; and, in imitation of the houſe of commons, they framed articles of accuſation and impeachment againſt the ſeveral perſons apprehended, for traiterouſly ſupplying the queen's enemies &c. Theſe were ſigned by the ſpeaker, and ſent by a committee to the council (June 25) praying, "that ſuch proceedings, examinations, trials and "judgments may be had and uſed upon and relating to "the ſaid perſons as is agreeable to law and juſtice." It was expected that the council ſhould proceed, as the houſe of lords do upon an impeachment. No wonder the council did not immediately proceed. In trying a capital offence it behoved them to be well ſatisfied of their juriſdiction. No notice is taken of the affair, in the council books, for above a fortnight. The governor ſat every day in council, and he ſtill continued the practice of directing, every day, upon what buſineſs the council ſhould proceed. It having been reported, that the houſe, in their examination of the priſoners, enquired how far the governor was concerned; on the 9th of July they paſſed a vote, vindicating themſelves from an aſperſion caſt upon them, as having, in the examination of the priſoners, made it the firſt queſtion, whether the governor was not concerned with them in the unlawful trade; wickedly inſinuating, that the houſe had ſuſpicion thereof, which they declared to be utterly falſe; and they thanked his excellency for his utmoſt readineſs and forwardneſs, upon all occaſions, in detecting and diſcouraging all ſuch illegal trade and traders. For this the governor gave them thanks. 1706.

BEFORE the 13th of July, the houſe were either convinced that the form of proceeding was irregular, or elſe that they could not ſupport the charge of high treaſon,

1706. treaſon, and ordered a bill to be brought in for inflicting pains and penalties; ſome moved for a bill of attainder, but the court being near riſing, a meſſage was ſent to the governor, deſiring that the priſoners charged might be kept in cloſe cuſtody, until the next ſeſſion, in order to further proceeding againſt them.

AT the next ſeſſion, a few weeks after, the perſons charged, with two or three other, accomplices of leſs note, were brought upon trial before the whole court; the governor's ſon, Paul Dudley, the queen's attorney, ſupporting the charge. The priſoners were heard by council in their defence. The court pronounced them all to be guilty, and then proceeded to determine their puniſhment. A committee of the two houſes reported a fine of £.1000 on Mr. Borland and three months imprisonment; £.350 on Roger Lawſon and three months impriſonment; £.400 on Samuel Vetch and one year's impriſonment; £.1000 on William Rowſe, one year's impriſonment and incapacity of ſuſtaining any office of public truſt; £.100 on John Phillips, jun. and one year's impriſonment; and £.100 on Ebenezer Coffin. The houſe accepted this report, with an addition to Rowſe's puniſhment, that he ſit an hour upon the gallows with a rope about his neck; but the board diſagreed to and reduced all the fines except Rowſe's, and diſagreed to the infamous part of his puniſhment. After a conference between the two houſes, they ſettled the penalties as follows, viz. on Vetch a fine of £.200; Borland £.1100; Lawſon £.300; Rowſe £.1200 and incapacity; Phillips £.100; and Coffin £.60: all to ſtand committed until the fines and coſts of proſecution were paid; and ſix ſeperate acts paſſed the whole court for theſe purpoſes. By a clauſe in the charter, the general court is impowered to impoſe fines, impriſonments and other puniſhments, and in conſequence of this clauſe the proceeding was thought to be regular; but the queen did not think ſo

, and theſe acts were diſallowed.* The governor was 1706.
nder a diſadvantage, any obſtruction to the two houſes
ould have been improved as an evidence of the truth of
e reports of his being *particeps criminis*; his compli-
nce did not ſatisfy the people. An ill impreſſion againſt
erſons in authority is not eaſily effaced. Several perſons,
ſome

" At the court at Kenſington the 24th of September 1707, Preſent
" The Queen's moſt excellent Majeſty,
His Royal Highneſs Prince George, Lord Archbiſhop of Canterbury, Lord Chancellor, Lord Treaſurer, Lord Privy Seal, Lord Steward, Earl of Sunderland, Earl of Berkeley, Lord Biſhop of London, Lord Coningſby, Mr. Bertie, Mr. Vice-Chamberlain, Lord Chief Juſtice Holt, Lord Chief Juſtice Trevor, Sir Charles Hedges, Mr. Vernon.

WHEREAS by powers granted under the great ſeal of England, to the governor or commander in chief of her majeſty's province of Maſſachuſets-bay in New-England, in America, the governor, council and aſſembly of that province are authorized and impowered to make, conſtitute and ordain laws, ſtatutes and ordinances for the public peace, welfare and good government of the ſaid province, which laws, ſtatutes and ordinances are to be (as near as conveniently may be) agreeable to the laws and ſtatutes of England, and to be tranſmitted to her majeſty for her royal approbation or diſallowance of them. And whereas, in purſuance of ſaid powers, there have been paſſed in the ſaid province, the 7th of Auguſt, ſix acts, intitled, viz. An act for the puniſhment of Samuel Vetch, Eſq; for high miſdemeanor. An act for the puniſhment of John Borland, merchant, for high miſdemeanor. An act for the puniſhment of Roger Lawſon, merchant, for high miſdemeanor. An act for the puniſhment of William Rouſe, mariner, late commander of the ſloop Ann, a flag of truce in the immediate ſervice of her majeſty's government of this province, for high miſdemeanor. An act for the puniſhment of John Phillips, jun. for high miſdemeanor. An act for the puniſhment of Ebenezer Coffin, mariner, for high miſdemeanor. The ſaid ſeveral perſons above-mentioned having been accuſed of trading with the French and Indians at Nova-Scotia; which ſaid ſeveral acts having been peruſed and well conſidered by the lords commiſſioners of trade and plantations, who by their report, this day read at the board, humbly repreſent their opinion, that the ſaid acts are not fit for her majeſty's royal approbation, the crimes in the ſaid ſeveral acts mentioned being in no wiſe cognizable before the general aſſembly there, in regard they have no power to proceed againſt criminals, ſuch proceedings being

1706. ſome in Boſton, the moſt in London, ſigned a petition, † full of invectives againſt the governor, which was

being left to the courts of law there; in which they may beſt be carried on by the ordinary rules and known methods of juſtice. Her majeſty taking the ſame into conſideration and approving of the ſaid report, is graciouſly pleaſed, with the advice of her privy council, hereby to declare her royal diſapprobation and diſallowance of the ſaid acts; and purſuant to her majeſty's pleaſure thereupon, the ſaid acts are hereby repealed and declared void and of no effect. And her majeſty is further pleaſed to order, and it is accordingly hereby ordered, that the fines impoſed upon the ſaid Samuel Vetch, John Borland, Roger Lawſon, William Rouſe, Ebenezer Coffin and John Phillips, by virtue of the afore-mentioned acts, be reſtored and paid back to them, they firſt giving ſufficient ſurety, not exceeding the value of the reſpective fines, to ſtand a new legal trial at law, if they ſhould be proſecuted within a year after their entering into ſuch ſecurity; but in caſe they be not proſecuted within the term of one year, for the crimes mentioned in the ſaid acts, that the ſaid ſecurities be void. And the governor or commander in chief of her majeſty's ſaid province of New-England, and all others whom it may concern, are to take notice of this her majeſty's pleaſure, and yield all due obedience hereunto accordingly. Edward Southwell."

The power of making laws ſeems to be underſtood, by the lords of trade, to be founded upon the commiſſion to the governor. Perhaps a form uſed in allowing or diſallowing acts of the royal governments, without conſidering the charter, was taken up for the Maſſachuſets.

† "To the Queen's moſt excellent Majeſty.

"The humble petition of your majeſty's moſt loyal ſubjects, inhabitants in your majeſty's dominions in America or trading thereto, ſheweth,

"THAT Col. Joſeph Dudley, whoſe arbitrary and tyrannical proceedings had expoſed him to the juſt reſentments of his countrymen before the happy revolution, hath been nevertheleſs ſo fortunate as to obtain the government of the Maſſachuſets colony in New-England.

"That your petitioners are certainly informed of divers unheard of corruptions and oppreſſions, and unjuſt and partial practices of the ſaid Dudley, on which they might ground many complaints againſt him; but they are ſo ſenſible of the imminent danger which threatens your majeſty's ſubjects in this and the neighbouring colonies, through his male adminiſtration, that they at this time beg leave humbly and ſingly to repreſent to your majeſty, That

was preſented to the queen. Upon information of this petition, the council and houſe of repreſentatives paſſed votes declaring their ſenſe of the injury done the governor 1706.

"That the ſaid Dudley hath countenanced a private trade and correſpondence with your majeſty's enemies, the French of Canada and the Indians which are in their intereſt, and furniſhing them with ammunition and proviſions.

"That the perſons, managing the ſaid correſpondence, pretended a voyage to Newfoundland, and being accuſed of high treaſon by the general aſſembly of New-England, the ſaid governor, by his intereſt and power, delayed their proſecution till the ammunition he had furniſhed the enemy was uſed by them to the deſtruction of your majeſty's good ſubjects, and that colony thereby put to thirty thouſand pounds charge.

"That many of the beſt and moſt prudent members of the lower houſe of repreſentatives being tired with his delays, and neceſſitated to go home and defend their plantations from the enemy, he prevailed with thoſe that remained, who were ſcarce a number to make a houſe, that the accuſation againſt his agents ſhould be changed from treaſon to miſdemeanor; and they being convicted, he laboured to mitigate their fines; all which was ſo apparent to the people of New-England, that they threatened to pull down his houſe.

"That he had the confidence, nevertheleſs, to apply to the general aſſembly for an addreſs to your majeſty in his favor; but this application was received with a general murmur and contempt, and nothing done therein. And although he hath ſince endeavoured to obtain your majeſty's good opinion, by collecting a number of names, of perſons under his command and influence, to give him a character, your petitioners, who apprehend their wives, families and eſtates to be in imminent danger, under ſuch a governor do therefore humbly pray, that ſaid Dudley may be ſpeedily removed, and that your majeſty would be pleaſed to give ſuch directions thereupon, as to your majeſty's great wiſdom ſhall ſeem meet, and your petitioners as in duty bound ſhall ever pray. Nath Higginſon, William Partridge, Steph. Maſon, John Cawley, Thom. Taylor, B. Wright, Richard Partridge, Thomas Allen, Joſeph Biſhop, Hugh Muſſon, Alex. Holmes, Michael Wilſon, John Burridge, Will. Wharton, John Hincks, Thomas Newton, John Morton, J. Wright, Francis Clark, Jn° Bulfinch.

"Read before the queen in council, at Kenſington, the 10th of June, and ordered to be heard, at Windſor, the 28th of the ſame month, before her majeſty in council."

Stephen Maſon was appointed one of the aſſiſtants or councellors by the charter.

1706. governor by the perſons ſigning this petition or addreſs; Mr. Higginſon, who is at the head of the petitioners, was originally of New England and educated at Harvard college, afterwards he travelled to the Eaſt-Indies, and upon his return became a merchant in London, was a member of the corporation for propagating the goſpel among the Indians of New-England &c. and had ſo good intereſt, that ſome perſons of note by their letters, ſignified that they thought the two houſes impolitic in the ſeverity of their expreſſions, which, from being their friend, might at leaſt cauſe him to become cool and indifferent.

BESIDES

‡ "Upon reading the copy of an addreſs to her majeſty againſt his excellency, our preſent governor, ſigned Nath. Higginſon, &c. Voted, that we firmly believe and are of opinion, that the allegations therein, of the governor's trading or allowing a trade with her majeſty's enemies the French and Indians in their intereſt, is a ſcandalous and wicked accuſation; the contrary being always apparent to all her majeſty's good ſubjects under his government, more eſpecially to this board, and in particular, to the general officers attending his excellency, as the ſecretary and commiſſary general; his negotiations and letters with the agents or meſſengers from the French governor or commanders of the neighbourhood, being, from time to time, laid before the council and the aſſembly, when they have been ſitting, and are ſenſible of his indefatigable care and protection of his majeſty's good ſubjects. Paſſed unanimouſly." *Council records.*

"A vote paſſed in the houſe of repreſentatives and ſent up, being in the words following—Upon reading the addreſs offered to her majeſty againſt his excellency our preſent governor, ſigned Nath. Higginſon, &c. Voted, that we firmly believe and are of opinion, that the allegations therein, of the governor's trading or allowing Vetch, Borland and Lawſon to trade with her majeſty's enemies the French and the Indians, in their intereſt, is a ſcandalous and wicked accuſation." *Idem.*

The vote of council was unanimous, but Samuel Sewall, long known by his title, Judge Sewall, being in intimate friendſhip with ſome, who at that time had a very bad opinion of the governor, was either influenced by them and perſuaded he had gone too far in giving his aſſent to this vote, or for ſome other reaſons, was ſo diſſatisfied with his conduct, that he could not be eaſy, without declaring his diſſatisfaction and proteſting or remonſtrating againſt his own conduct. The original paper which he ſent to one of thoſe friends is ſtill preſerved.

"Tueſday,

BESIDES this petition, a pamphlet from New-England appeared, about the ſame time in London, charging the governor with treaſonable correſpondence, and it was expected, that his enemies would prevail. Mr. Povey wrote to him from London, that he muſt prepare to receive the news of being ſuperſeded; † but he was ſo 1706.

 fortunate,

"Tueſday, November 23d, 1707.

"The reaſons of my withdrawing my vote from what was paſſed in council, upon Saturday November the firſt, relating to an addreſs offered to her majeſty, ſigned, Nath. Higginſon, &c.

"Becauſe my motion, for leaving the conſideration of it till the Monday following, was not admitted, and it was entered upon and paſſed about noon, in a very ſhort time, being a matter of great concernment to our liege lady queen Anne, to the province, to his excellency our governor and to the council and repreſentatives. The governor's perſonal intereſt was much in it, and therefore, I humbly conceive, the vote ought to have been debated and framed by the members of council, apart by themſelves, in the abſence of the governor.

"The words *firmly believe*, and *always apparent*, were never pleaſing to me; and now, I do not firmly believe that the governor did no way allow Mr. Borland and Capt. Vetch their trading voyage to her majeſty's enemies the French. *Qui non vetat peccare, cum poſſit, jubet.* Not that I ſuſpect the governor deſigned to hurt the province, but to gratify *grateful* merchants. And I readily and thankfully acknowledge the governor's orders, for the defence of the frontiers, to be truly excellent, both reſpecting the ſuitableneſs of the orders themſelves and the quickneſs of their diſpatch; and I bleſs God for the ſucceſs that has attended them.

"I have been acquainted with Mr. Nath. Higginſon theſe 40 years, and I cannot judge the offering this addreſs to her majeſty to be, in him, a ſcandalous and wicked accuſation, until I know his inducements; and I fear this cenſure may be of ill conſequence to the province in time to come, by diſcouraging perſons of worth and probity, to venture in appearing for them, though the neeeſſity ſhould be never ſo great.

Samuel Sewall."

† Sir William Aſhurſt writes, "London, May 10. 1707. As to Mr. Dudley, though he may meet with ſome with you that will ſacrifice their country and conſciences to his intereſt, I can aſſure you he will not meet with any ſuch here. I doubt not, but in a little time he will be ſucceeded by a more worthy perſon, and the country freed from his oppreſſions."

1706. fortunate, as either to convince the queen and her miniſters of his innocence, or by ſome other means to lay the ſtorm which had been raiſed againſt him. The charge of ſupplying the enemy with ammunition is incredible. Thoſe perſons who were convicted, had he been an accomplice, would have diſcovered him. He left them to ſuffer ſuch puniſhment as the court thought proper to inflict. There was no certainty that the acts would be repealed and, after they were repealed, ſome remained long in priſon; Rouſe lay there 18 months, unable to find ſecurity. The whole that appeared upon the trial, was an invoice of 100 *m.* of nails, which, at the requeſt of the governor of Port-royal, Mr. Dudley allowed to be ſhipped. This was foundation enough, though in no degree criminal, to give riſe to all the calumny. It is not improbable, from the remonſtrance of Mr. Sewall, who was a perſon of great integrity, that connivance might be ſhewn of ſome ſupplies of merchandize, and that this indulgence might be abuſed to the ſupply of powder, ſhot, &c. contrary to the governor's mind. It was the general opinion, that, without theſe ſupplies, the French could not have proceeded in their expedition againſt Newfoundland, where the harbours this year were much ſpoiled, and great loſs and damage was ſuſtained, not by the Europeans only, but by the New-Englanders, who had then large commerce there.*

THAT

* There were ſome who ſuppoſed this affair to be brought, by the governor's influence, before the general court to prevent its being carried into the common law courts, where the trial would have been public, and where he could not have ſet limits to the enquiry. If this was the caſe, it ſhews that he was no contemptible politician, for they who were the moſt diſaffected to him, in the general court, were the moſt zealous for taking cognizance of it.

" The whole affair of thoſe grateful merchants will by degrees be brought to light, yea it is already ſo, and the communications between Roxbury and the priſon are diſcovered, will be publiſhed on the houſe top, and ſome fear 'twill be found *minor fuit ipſa infamia viro.* A trial of that nature by the general

aſſembly

THAT I might finiſh what relates to this proſecution, 1706.
which was a ſubject of converſation for many years after, I have been led a year or two forward. I meet with no remarkable devaſtations by the enemy in 1705, but, in April 1706, they renewed their inroads and murdered eight or ten people, in one houſe, at Oyſter river. There was a garriſon houſe near, where the women of the neighbourhood had retreated, their huſbands being abroad at their labour, or abſent upon other occaſions. This houſe being attacked, the women put on their huſbands hats and jackets, and let their hair looſe, to make the appearance of men; and firing briſkly from the ſlankarts, ſaved the houſe and cauſed the enemy to retreat.

COL. Schuyler gave intelligence of 270 men having marched from the frontiers of Canada, which was an alarm to all the frontiers of New-England: for it was uncertain upon which part they would fall. They made their firſt appearance upon Merrimack river, about Dunſtable, ſurprized and burned a garriſon houſe there, in which 20 ſoldiers were poſted, and did other miſchief. Five of their Indians, probably from the ſame party, ventured down as far as Reading, about 15 or 18 miles from Boſton, ſurprized a poor woman, who had eight children with her in a lone cottage, killed the woman and three of the children and carried away the reſt; but the diſtant inhabitants were alarmed time enough to overtake them in their retreat, and recovered three of the children. Chelmsford, Sudbury, Groton, Exeter, Dover and other plantations had more or leſs of their people killed or taken; ſome of the latter they murdered

aſſembly is a thing which you had always decried with the greateſt abhorrence; yet you permitted it, yet you promoted it, yet you *managed* it when a perſonal advantage might come out of it. The people were enſnared, the country endangered." *C. Mather's letter to Dudley, Jan.* 20. 1707.

A ſmall ſum (£.600) was collected in the churches this year and ſent for the relief of ſuch of the poor inhabitants of St. Chriſtophers as had been diſtreſſed by the enemy.

1706. before they could reach Canada, others very narrowly eſcaping. A poor woman, Rebekah Taylor, after the miſery of a long travel to St. Lawrence river, near to Montreal, having offended her Indian maſter, he took off his belt and faſtened one end of it round her neck and threw the other over the limb of a tree; but the weight of her body broke the limb. He was making a ſecond attempt, when the noted Bomazeen came by and reſcued her. In their march, their hunting failing, they were kindling a fire to roaſt a child of one Hannah Parſons, when a ſtrange dog, falling in their way, ſupplied the child's place. A Groton ſoldier, Samuel Butterfield, defended himſelf bravely and killed one of their chiefs. This occaſioned a diſpute about the kind of puniſhment, ſome being for burning alive, others for whipping to death. It was left to the dead man's widow to determine it. She told them, that, if killing the priſoner would bring her huſband to life, ſhe cared not what kind of death he ſuffered, but, if not, ſhe deſired to have him for a ſlave, and her requeſt was granted.

IT appears, by the French accounts, that the Indians themſelves were tired of the war, and with great difficulty were prevailed upon to continue it. To encourage them, a noted chief, dreaded by the Engliſh upon the frontiers, from the report of his cruelties, Neſcambouit, was about this time ſent by M. Vaudreuil to France, to receive his reward from the king himſelf. Upon his appearance at court, he held out his arm and bragged, that with that arm he had ſlain 150 of his majeſties enemies. The king was ſo much pleaſed, that, as was then reported, he knighted him and ſettled a penſion of eight livres per day for life.

CHARLEVOIX attributes the diſtreſs of the New-Englanders to their refuſal of a neutrality, "the Abe-"nakis continued to lay New-England deſolate; Mr. "Dudley either being unwilling or afraid to accept the "neutrality which had been propoſed for that province. "He was much affected with the cries of the inhabitants, "who were no longer able to improve their lands, which

"were

" were continually ravaged by the Indians, and he thought 1707.
" the only way to put an end to this diſtreſs was to ex-
" tirpate the French from Acadie."

DUDLEY depended upon the French being extirpated from Canada, as well as Acadie, otherwiſe he would have been glad of a neutrality, if he could have had the queen's leave to agree to it. It was known, that an armament was intended, this year, from England againſt the French, either in Canada or Acadie, or both. Troops were actually deſtined for this ſervice, and general Maccartney was to have commanded; but the battle of Almanza, in Spain, made ſuch an alteration in affairs, that the troops could not be ſpared, and the expedition was laid aſide. The Maſſachuſets would have been ready with the forces expected from them; and it was determined, early in the ſpring, that ſuch a number of men ſhould be raiſed, as might be ſufficient for the reduction of Acadie, although no aſſiſtance came from England. At leaſt, the other parts of Nova-Scotia might be ravaged; but for Port-royal, it was doubted whether it could be ſubdued: However, the fortreſs there was " to be inſulted, if by a council of war upon the place it ſhould be found practicable."

ONE thouſand men, it was reſolved ſhould be raiſed, in the Maſſachuſets, and propoſals were made to New-Hampſhire, Connecticut and Rhode-Iſland to join. Connecticut declined. The other two governments aſſiſted, and Mr. Dudley, in his ſpeech to the aſſembly, acknowledges that he had received a very honorable aſſiſtance from Rhode-Iſland, and a proper force from New-Hampſhire. The naval force was barely ſufficient for convoy, there being only the Deptford man of war, Capt. Stukeley, and the province galley, Capt. Southack. The command of the land forces was given to Col. March, who had behaved well at Caſco fort and upon ſome other occaſions; but had never been tried in any ſervice where other talents, beſides meer natural bravery, were neceſſary. The fleet ſailed, from Boſton, the 13th of

1707. May, and arrived, the 26th, at Port-royal. March immediately landed, with 700 men, on the harbour ſide; * Col. Appleton, with 300 men, landing on the other ſide. The next day, as March with his men were advancing towards the fort, they diſcovered about 200 of the enemy, with Subercas, the governor, at their head, near the top of a hill. A ſhort ſkirmiſh † enſued, and Subercas had his horſe killed under him; but the numbers being very unequal, the French ſoon retreated, leaving two of their number killed, and having wounded three of the Engliſh. On the 29th, Appleton and his 300 men were attacked by a body of Indians, joined by about 60 Canadians who had arrived, juſt before, to man a privateer which lay in the harbour. They killed two of the Engliſh, and then retreated. All the inhabitants forſook their houſes and retired to the fort, which was well garriſoned. They made a continual fire, with cannon and mortars, upon the Engliſh camp; but wanted ſkilful engineers; very few of their ſhells falling ſo as to be any annoyance. The Indians, upon every quarter ſkulking about, ſhot down every man, who ventured without the camp. It is evident that our forces were very diffident of ſucceſs, from their firſt landing; and the army would in a great meaſure have ſaved their reputation, if, in conformity to the vote of the court for engaging in the expedition, they had, at a council of war, determined not to attack the fort, and proceeded to ravage the country. Some intelligence, which they had received of the diſpoſition of great part of the garriſon to revolt, ſeems to have encouraged them, more than any hopes they had of being able to reduce the place, by a regular ſiege or ſudden attack. The 13th of May, at a council of war, it was agreed, "that the enemy's well diſciplined garriſon in a ſtrong fort, was more than

* Charlevoix ſays, they had 24 veſſels, the largeſt of 50 guns; and that they landed 1500 men on the ſide where the fort was, and 500 on the other ſide.

† Un combat vif. *Charlevoix.*

than a match for our raw undiſciplined army." They opened their trenches, notwithſtanding, and, in three or four days, they had made ſome breaches, and determined upon a general aſſault; but, advancing towards the fort and finding no deſerters come over, they altered their minds, and, the 6th or 7th of June, the whole army were re-embarked. Col. Redknap (the engineer) and Col. Appleton went to Boſton for further orders; the reſt of the army to Caſco-bay.* A great clamour was raiſed at Boſton againſt March and Wainwright, and letters were ſent them from thence, ſome anonymous, vilifying them as cowards and deſerving the gallows. They charged Appleton with being the firſt for decamping, but own it would have been to no good purpoſe to have remained; as there was no proſpect of carrying the fort. Captain Stukeley, of the Deptford, gave an account of the ſtrength of the place, and added, that he hoped the *fighting men* at Boſton, who had wrote ſo many ſcurrilous, vilifying letters, without names, would be ſatisfied, that regular, well fortified and well defended, forts are not to be taken by raw men; and he was very certain, that 1500 of the beſt of them would come back again as the army had done. 1707.

Mr. Dudley, notwithſtanding the diffidence expreſſed, thought of nothing ſhort of the reduction of Port-royal, from the beginning; and after ſo great expence, in raiſing ſuch an armed force, and ſo little diminution of it, he was loth to give over the deſign, and ſent immediate orders for the forces to remain where they were, whilſt he conſidered of further meaſures. March

* "The ignorance, idleneſs and ſlothfulneſs of ſome of our officers, make things go on not ſo ſmooth as deſired; and by the diſobedience of private ſoldiers, we loſt two men this day in our very ſight, ſcalped and mangled by the Indians. Theſe and ſome other difficulties cauſed the reſult of a council of war, this day aſſembled, which I herewith ſend. The commander in chief will make a general ravage of the country and ſea coaſt, which will be all we ſhall do at this time." *William Dudley to Gov. Dudley, 31 May 1707.*

1707. was beloved by the ſoldiers; beſides, his courage was not ſuſpected, altho' his capacity for a general was called in queſtion. It was not, therefore, thought proper to recall him; to appoint a general officer over him, would be as exceptionable. An expedient was pitched upon, ſuggeſted perhaps by the practice of the Dutch. Three gentlemen of the council were to be ſent to the army, with as full powers to ſuperintend and direct the proceedings as the governor himſelf would have had if preſent in perſon. Col. Hutchinſon, Col. Townſend and Mr. Leverett were pitched upon for this purpoſe. They embarked the middle of July in Capt. Gerriſh, with about 100 recruits and ſeveral deſerters, who had left the army at Caſco.* Upon their arrival, they found parties formed, among officers and men, no ſubordination, a coldneſs in the officers, and an averſion in the privates, to a return to the ground they had left. But, it ſeems, the governor had made a point of it, that, at all events, the army ſhould go back.†

I find a round robin among Col. Hutchinſon's papers, ſigned by a great number, peremptorily refuſing to go to Port-royal; but the ringleaders being diſcovered and ſecured, whilſt their ſentence was under conſideration, the reſt humbled themſelves and ſubmitted, and the ſhips of war and tranſports ſailed. They ſtopped at Paſſimaquadi, about the 7th of Auguſt. March's ſpirits were

* They were not choſen by the aſſembly, but to keep the power, as far as he could, in his own hands and at the ſame time obtain a grant for or acquieſcence in the expence, the governor, in this and other inſtances, pitched upon ſuch perſons as he knew would be acceptable. Hutchinſon and Townſend were popular men, and Leverett had been ſpeaker of the houſe.

† We have ſo little proſpect of any ſervice from the marine, after we have taken the ground, that, for the keeping it, we muſt have dependence upon our other force, being only 743 officers and ſoldiers, ſick and well; and they are ſo extremely diſpirited, that we cannot look upon them equal to 300 effective men. However, we have your excellency's commands, which we yield an abſolute obedience to and ſhall proceed."

Col. Hutchinſon's let. to Gov. Dudley, Caſco 26th July 1707.

were broke and his health affected, ſo that, when the 1707.
diſpoſition was making for landing the army, he declared himſelf incapable of acting and the command was given to Wainwright, the next officer. The 10th of Auguſt they croſſed over to Port-royal where they landed, but on the oppoſite ſide to the fort and, in every reſpect, in a much worſe condition than before. The nights were growing cold, the men ſickening and the army, in general, incapable of ſuſtaining the fatigues of a ſiege. Wainwright's letter to the Commiſſioners Auguſt 14th ſhews the ſtate they were in. "Our not recovering "the intended ground on the oppoſite ſide is a mighty "advantage to the enemy, in that they have opportunity, "and are improving it, for caſting up trenches in the "very place where we deſigned to land, and draw up "our ſmall forces. Yeſterday, the French, about eight "of the clock forenoon, on the fort point, with a ſmall "party of St. John's Indians, began to fire on our river "guards and ſo continued until about three afternoon: "Then appeared about one hundred Indians and French, "upon the ſame ground, who kept continually firing "at us until dark. Several were ſhot through their "cloaths, and one Indian through the thigh. About "four in the afternoon, I ſuffered a number of men, "about 40 or 50, to go down to the bank of the river, "to cut thatch to cover their tents. All returned well, "except nine of Capt. Dimmock's men, who were led "away by one Mansfield, a mad fellow, to the next "plantation to get cabbages in a garden, without the "leave and againſt the will of his officer. They were "no ſooner at their plunder, but they were ſurrounded "by, at leaſt one hundred French and Indians, who in a "few minutes killed every one of them, their bodies "being mangled in a frightful manner. Our people "buried them, and fired twice upon the enemy; on which "they were ſeen to run towards our out guards next "the woods, which we immediately ſtrengthened. "Indeed, the French have reduced us to the ſame ſtate

to

1707. "to which we reduced them, at our laſt being at Port-
"royal; ſurrounded with enemies and judging it unſafe
"to proceed on any ſervice without a company of at leaſt
"one hundred men. I ſhall now give you a ſhort
"account of the ſtate of our people, truly, as delivered
"me by Doctor Ellis. There is a conſiderable number
"of them viſited with violent fluxes, and although we
"have things proper to give them, yet dare not do it;
"others taken with mighty ſwellings in their throats;
"others filled with terror at the conſideration of a fatal
"event of the expedition, concluding that, in a ſhort
"time, there will not be well enough to carry off the ſick.

"I am diſtreſſed to know which way to keep the
"Indians ſteady to the ſervice. They proteſt they will
"draw off, whatever becomes of them. It is truly
"aſtoniſhing, to behold the miſerable poſture and temper
"that moſt of the army are in, beſides the ſmallneſs of
"our number, to be attacked by the enemy which we
"expect every moment.

"I am much diſordered in my health by a great cold.
"I ſhall not uſe it as an argument to be drawn off my
"ſelf, but, as you are maſters of the affair, lay before
"you the true ſtate of the army which indeed is very
"deplorable: I ſhould much rejoice to ſee ſome of you
"here, that you might be proper judges of it.

"If we had the tranſports with us, it would be im-
"poſſible, without a miracle, to recover the ground on
"the other ſide, and I believe the French have addi-
"tional ſtrength every day. In fine, moſt of the forces
"are in a diſtreſſed ſtate, ſome in body and ſome in
"mind, and the longer they are kept here on the cold
"ground the longer it will grow upon them, and, I fear,
"the further we proceed the worſe the event. God
"help us."

CAPTAIN Stukeley had given encouragement, that he would lead on an hundred of his own men; but the bad ſtate of affairs cauſed him to change his mind, and he had drawn them off before the date of this letter.

THE

THE army continued aſhore until the 20th, when they re-embarked. The enemy then attacked them. Our accounts ſay, that we killed and wounded many of the enemy and finally put them to flight. The French ſay, that both retreated by turns. Each ſeem to have been glad to be rid of the other. About 16 were killed in the whole expedition, and as many wounded. The French, finding ſo few dead bodies, ſuppoſed we threw them into the ſea. 1707.

WHEN the forces returned, Mr. Dudley put the beſt face upon their ill ſucceſs. In his ſpeech to the aſſembly he ſays, "though we have not obtained all that we "deſired againſt the enemy, yet we are to acknowledge "the favor of God in preſerving our forces in the expe-"dition, and proſpering them ſo far as the deſtruction of "the French ſettlements and eſtates, in and about Port-"royal, to a great value; which muſt needs diſtreſs the "enemy to a very great degree."

A court martial was judged neceſſary, and ordered, but never met. The act of the province, for conſtituting courts martial, made ſo many officers requiſite, that it was found impracticable to hold one.† This muſt be owing to the great number of perſons charged, the remainder being inſufficient to try them.

WHILST the forces were employed againſt the French, the Indians kept harraſſing our frontiers. Oyſter river, Exeter, Kingſton and Dover in New-Hampſhire government, and Berwick, York, Wells, Winter-harbour, Caſco, and even the inland town of Marlborough, in the Maſſachuſets, ſuſtained loſs. The winter following paſſed without moleſtation.* Early in the ſpring, Mr. Littlefield, the lieutenant of Wells, travelling to York, was taken and carried to Canada. For ſeveral months after, the 1708.

† Governor's ſpeech.

* November 27. 1707, died John Winthrop, Eſq; governor of Connecticut and was buried at Boſton, December 4th. The bones of John Winthrop the firſt governor of Maſſachuſets, his ſon and grandſon two governors of Connecticut, reſt in the ſame tomb in the firſt or eldeſt burying ground.

1708. the enemy ſeem'd to have forſaken the frontiers. It afterwards appeared, that they were collecting their forces in Canada for ſome important ſtroke.

SCHUYLER had ſuch influence over the French Mohawks, who kept a conſtant trade with Albany, that they inclined to a more general peace with the Engliſh than meerly thoſe of New-York. The French diſcovered their indifference, and, to keep them engaged, a grand council was called at Montreal, the beginning of this year, and an expedition was agreed upon, in which were to be employed the principal Indians of every tribe in Canada, the Abenakis Indians, and one hundred ſelect French Canadians, and a number of volunteers, ſeveral of whom were officers in the French troops. They were to make in the whole 400 men.

DE Chaillons, and Hertel de Rouville (he who ſacked Deerfield) commanded the French, and La Perriere the Indians. To give the leſs alarm to the Engliſh, the French party, with the Algonquin and St. Francois and Huron Indians, marched by the way of the river St. Francois: La Perriere and the French Mohawks went by lake Champlain: They were to rendezvous at lake Nikiſipique, and there the Norridgewock, Penobſcot and other eaſtern Indians were to join them. They all began their march the 16th July, but the Hurons gave out and returned, before they arrived at St. Francois river. One of them had killed his companion, by accident, which they thought an ill omen and that the expedition would prove unfortunate. The Mohawks alſo pretended, that ſome of their number were taken ſick of an infectious diſtemper, which would be communicated to the reſt, and they returned. Vaudreuil, when he heard theſe accounts, ſent orders to his French officers, that, although the Algonquin and St. Francois Indians ſhould leave them alſo, yet they ſhould go on, and fall upon ſome of our ſcattered ſettlements. When the Indians are tired of murdering poor helpleſs women and children, Vaudreuil employs his French officers to do it. Thoſe

Indians

Indians, however, did not leave them, and, being about 200 in all, they marched between four and five hundred miles through the woods to Nikipiſique, where they found none of the eaſtern Indians. This was a happy diſappointment for the Engliſh. Had the whole propoſed number rendezvouſed there, Newbury, or perhaps Portſmouth, might have been ſurprized and deſtroyed; but, the army being thus reduced, Haverhill, a ſmall but compact village was pitched upon. Intelligence had been carried to Boſton, that an army of 800 men was intended for ſome part of the frontiers, but it was uncertain which. Guards were ſent to Haverhill, as well as other places; but they were poſted in the moſt expoſed parts of the town and the enemy avoided them, or paſſed undiſcovered, and, on the 29th of Auguſt, about break of day, ſurprized the body of the town, adjoining to Merrimack river, where were 20 or 30 houſes together, ſeveral of which they burned, and attempted to burn the meeting-houſe, but failed. The reſt of the houſes they ranſacked and plundered. Mr. Rolfe the miniſter; Wainwright the captain of the town, and 30 or 40 more, the French ſay above 100, were killed, and many taken priſoners. Mr. Rolfe's maid jumped out of bed, upon the alarm, and ran with his two daughters of 6 or 8 years old into the cellar, and covered them with two large tubs, which the Indians neglected to turn over and they were both preſerved.* Three very good officers were at that time in the town, Major Turner,‡ Capt. Price and Capt. Gardner, all of Salem, but moſt of their men were poſted at a diſtance, and, before any ſufficient number could be collected, the miſchief was done. The enemy, however, was purſued, overtaken and attacked, juſt as they were entring the woods. The French reported, when they got back, that they faced about, and that 1708.

* One was, afterwards, wife to the late Col. Hatch of Dorcheſter, and is lately deceaſed; the other ſtill living, the wife of the Rev. Mr Checkley, ſen. of Boſton.

‡ Afterwards Col. Turner, a principal merchant of Salem, and many years, a member of the council.

1708. that our people, being aſtoniſhed, were all killed or taken, except 10 or 12, who eſcaped. The truth is, that there was a bruſh, which laſted about an hour, and that the enemy then took to the woods, except nine who were left dead, among whom was Rouville's brother, and another officer. Many of the priſoners were alſo recovered. The governor, in his ſpeech to the aſſembly ſays, "we might have done more againſt them if we had followed their tracks."

THE return of the French Mohawks might be owing to Schuyler's negotiations with them, which, it may be ſaid, he would have had no opportunity for, if it had not been for the neutrality between them and Albany; but, on the other hand, not only thoſe Indians, at other times, but even the Penobſcots and Norridgewocks were enabled, by this neutrality, to make their inroads upon us. The governor of Port-royal, in a letter to the count de Pontchartrain, ſays, "that the Michmacks were quite "naked and the Kenebeckans‡ and Penobſcots would have "been ſo too, if they had not carried on a trade with the "Indians of Hudſon's river or, rather, by their means "with the Engliſh, who allowed a crown a pound for "bever, and ſold their goods very reaſonably." Charlevoix juſtly remarks upon it, "thus our own enemies "relieved our moſt faithful allies, when they were in "neceſſity, and whilſt they were every day hazarding "their lives in our ſervice." The Maſſachuſets general court alſo, this year, in an addreſs to the queen, ſay "A letter from M. Vaudreuil, governor of Canada, to "the late governor of Port-royal was ſometime ſince happily intercepted, and came to our governor's hands "wherein he writes thus, namely, that he endeavors to "keep all quiet on the ſide of Orange or Albany, having command from the king his maſter not to have "any quarrel with your majeſty's ſubjects on that ſide "or with the Mohawks, which he hath ſtrictly obſerved "And they are in a profound peace, having met with "little or no loſs on the land ſide, either in men or "eſtates this war."

TH

‡ Norridgewocks.

THE enemy were ſatisfied with their ſucceſs at Haver- 1708.
hill, for this ſeaſon, and, except now and then a ſtraggling Indian, none of them appeared again upon the frontiers this ſummer.

THE party againſt the governor ſtill purſued their ſchemes in England for his removal. Aſhurſt engaged a committee of the kirk of Scotland, who came up to London to ſettle ſome affairs with the queen's council, to uſe their intereſt, that Dudley might be removed and a new governor appointed; and he was very ſanguine, that this would do the buſineſs, and that Hobby would be appointed, though not ſuch a perſon as he could wiſh; but *the earth*, he ſays, *muſt help the woman.* Which, too often means no more than *we muſt do evil that good may come of it.* In the province, the governor's intereſt was ſtrengthening. Some of the old ſenators, who had been diſaffected to him, were left out of the council. Oakes, whom he had negatived as ſpeaker, and one other member for Boſton loſt their election, and John Clark and Thomas Hutchinſon, two young gentlemen of the town, who were under no prejudice againſt him, came into the houſe in their ſtead; and, although, this year Mr. Cooke was again choſe one of the council, it was the laſt effort. The governor perſiſted in negativing him, and at the ſame time negatived Nathaniel Paine of Briſtol; but he had ſo accuſtomed them to negatives, that they gave leſs offence than they would have done after long diſuſe.

THE principal ſubject of the aſſembly's addreſs, which we have juſt before mentioned, to the queen, was the reduction of Canada and Acadie by an armament from England, to be aſſiſted by forces raiſed in the colonies. Vetch, who the laſt year was charged as a traitor, this year appeared, before the queen and her miniſters, ſoliciting in behalf of the colonies; being able to give a full information of the condition of the french in America.*

EARLY

* Auguſt 21ſt, this year, died Ezekiel Cheever, venerable not meerly for his great age, 94, but for having been the ſchoolmaſter of moſt of the principal gentlemen in Boſton who were then

1709. EARLY in the ſpring, Mr. Dudley was adviſed, by letters from the Earl of Sunderland, that the queen had determined upon an expedition, and Vetch, made a colonel, came over with inſtructions to make the neceſſary preparations. The plan was extenſive. The French were to be ſubdued, not only in Canada and Acadie, but in Newfoundland alſo. A ſquadron of ſhips were to be at Boſton by the middle of May. Five regiments of regular troops were to be ſent from England, to be joined by 1200 men, to be raiſed in Maſſachuſets and Rhode-Iſland, and the governments were to provide tranſports, flat bottomed boats, pilots and three months proviſions for their own troops. With this force, Quebec was to be attacked; at the ſame time 1500 men, propoſed to be raiſed in the governments ſouth of Rhode-Iſland, which were to march by the way of the lake, were to attack Montreal. The men, aſſigned to the Maſſachuſets to raiſe, were ready by the 20th of May;† and Vetch gave a certificate under his hand, that all the governments concerned had chearfully and punctually complied with the orders given, except Penſylvania!* It was left to Lord Lovelace, governor of New-York, to appoint the general officer for the 1500 men, but, by his death, the power devolved upon Mr. Ingoldſby, the lieutenant governor; and Nicholſon who had

then upon the ſtage. He is not the only maſter who kept his lamp longer lighted than otherwiſe it would have been, by a ſupply of oil from his ſcholars.

John Higginſon, the firſt miniſter of Salem, who came over with his father in 1629 at the age of 14 or 15, lived until the 9th of December 1708, having alſo been miniſter of the ſame church from the year 1660. His early days he ſpent in Connecticut colony, and in 1641 was chaplain to Mr. Fenwick and Lady Botcler, at the fort at Saybrook.

Tueſday the 14th December was remarked as the coldeſt day ever known in the country from its firſt ſettlement.

† The tranſports and 900 troops, raiſed by the Maſſachuſets, were kept in pay from the 20th of May to the beginning of November.

* Penſylvania, at that time, principally conſiſted of the people called quakers, and we are to impute their backwardneſs to a religious principle or perſuaſion, and not to diſaffection.

had been lieut. governor of New-York under Andros and afterwards lieutenant governor of Virginia and Maryland, being then in America, was pitched upon as a proper perſon, and marched with the forces under his command as far as Wood-creek, there to wait until the arrival of the fleet at Boſton, that the attack on both places might be made at one time. The tranſports and troops lay waiting at Boſton from May to September, every day expecting the fleet. No intelligence coming from England; Vetch, being ſenſible it was too late to go to Canada, propoſed a meeting, at New-London, of the governors of the ſeveral colonies, to conſider in what other way the forces raiſed ſhould be employed againſt the enemy; that the expence might not be wholly loſt; but Nicholſon, unexpectedly, returned with his men from Wood-creek, and he and Vetch and Colonel Moody met ſome of the governors at Rhode-Iſland. Two or three days before the congreſs (October 11th) a ſhip arrived at Boſton from England, with advice that the forces intended for America were ordered to Portugal, and with directions to conſult whether the forces raiſed in America might not be employed againſt Port-royal, the ſhips of war of which there were ſeveral then at Boſton to be aiding and aſſiſting.† There was no great honor or profit to be expected, by the captains of the men of war, if the expedition ſhould ſucceed, nothing more being required of them, than to ſerve as convoy to the tranſports, and cover to the forces at their landing; therefore two of the frigates, whoſe ſtation was New-York, ſailed immediately from Boſton, without taking leave of any body, and the commanders of the reſt, 1709.

† It is ſaid in one of the articles of Lord Oxford's impeachment, that an expedition againſt Canada, having been frequently deliberated upon and maturely conſidered in a committee of council, was laid aſide as dangerous and impracticable; but there can be no doubt that an expedition was fully determined upon this year, and was laid aſide upon an unexpected change of affairs in Europe.

1709. reſt, Mathews, afterwards Admiral Mathews, who was then commander of the ſtation ſhip at Boſton, only excepted, peremptorily refuſed. Aſſoon as this was known to the two houſes, the court being ſitting, they deſired the governor to diſcharge the tranſports and diſband the men, it not being ſafe to proceed without convoy. This was a heavy charge upon the province, without any good effect. It was indeed late in the year for the attempt againſt Port-royal, but then the proſpect of ſurprizing the enemy was ſo much the greater, and if it had happened otherwiſe and the forces had returned without ſubduing the place, it would have cauſed but little increaſe of the expence.

WHILST Nicholſon lay at Wood-creek, the governor of Canada, who had intelligence of all his motions, ſent out an army of 1500 French and Indians, who left Montreal the 28th July N. S. and the three firſt days advanced 40 leagues towards the Engliſh camp; but upon a report that they were 5000 ſtrong, and upon the march, to meet the French, and there being diſcord at the ſame time, among the French officers, it was thought beſt to return to their advanced poſts, and wait to receive the Engliſh there. Had they proceeded, they were equal to the Engliſh, better acquainted with the country, would have come unexpected, and the event would at leaſt have been doubtful for us.

CHARLEVOIX gives an inſtance of the treachery of the Indians of the ſix nations, and of their intention to deſtroy the whole Engliſh army. Speaking of father Mareuil, who had been a priſoner at Albany, he ſays, "This miſſionary having been exchanged for a nephew "of the principal officer at Albany, we learned from him "all the circumſtances of that affair and to what New "France owed her deliverance from the greateſt danger "to which ſhe had been at any time expoſed from that "quarter." Then having mentioned a grand council of the Indians, held at Onondago, where all their general meetings upon important matters were held, he goes on,

"The

" The Onondago, one of the old men of that nation, 1709.
" who was the ſpeaker, aſked whether it was out of
" their minds that they were ſituated between two
" potent people, either of which were capable of totally
" extirpating them, and that it would be the intereſt of
" either to do it, aſſoon as they ſhould have no further
" occaſion for them. It behoved them therefore to be
" very careful, that they did not loſe their importance,
" which they would do, unleſs each of thoſe people
" were prevented from deſtroying the other. This
" harangue made great impreſſion upon the aſſembly,
" and it was reſolved, upon this occaſion, to continue the
" political conduct which they had hitherto obſerved.
" Accordingly, the Iroquois, when they had joined the
" Engliſh army, and found, as they imagined, that
" it would be ſtrong enough to take Mont-real, em-
" ployed their whole attention in contriving the de-
" ſtruction of it; and this was the way they went to
" work. The army being encamped upon the banks of
" a ſmall river,* the Indians, who ſpent moſt of their
" time in hunting, threw the ſkins of all the creatures,
" which they flead, into the river, a little above the camp,
" which ſoon corrupted the water. The Engliſh never
" ſuſpected this treachery and continued to drink the
" water; but it cauſed ſuch a mortality among them,
" that father de Mareuil and the two officers, who went
" to fetch him from Albany to Canada, judged, by the
" graves, that there muſt have been at leaſt a thouſand
" buried there."

NICHOLSON certainly decamped ſooner than was expected, which cauſed ſome diſſatisfaction. The army was in a bad ſtate. I have a letter dated New-York, November 4th 1709, which ſays, that many of the ſoldiers, who were at the lake, died as if they had been poiſoned.

ALTHOUGH the French were in conſtant expectation of being attacked themſelves, yet it did not take them

* Wood-creek.

1709. off from employing ſome of their ſtrength, this ſummer, againſt the New-England frontiers. In April, a man was taken priſoner at Deerfield. In May, ſeveral men were ſurprized and taken, as they were paſſing to a ſaw mill in Exeter; and in June, one of the Rouvilles, with 180 French and Indians, made another attempt upon Deerfield, to deſtroy or carry away priſoners the poor people who, but a little while before, had returned from their captivity; but the enemy was diſcovered at a diſtance and beat off, the inhabitants bravely defending themſelves. The town of Brookfield, in the weſt, and Wells, in the eaſt, ſoon after loſt ſome of their people, by ſmall parties of Indians.*

1710. NICHOLSON went to England, in the fall, to ſollicit a force againſt Canada the next year, and an expedition ſeems to have been again reſolved upon. Advice was received, in New-England, that, in July, Lord Shannon, with a fleet deſtined for that ſervice, lay under orders for ſailing, but that it was feared the weſterly winds would detain him until it was too late. Port-royal, which did not require ſo great force and which might be attempted late in the year, was afterwards made the only object. The Dragon and Falmouth, with a bomb ſhip and a tender, and two or three tranſports, left England in the ſpring, and Nicholſon was on board one of them. They arrived at Boſton, July the 15th, and ſeem to have lain waiting there for orders, or until it ſhould be made certain whether they were to be joined by any further force from England.† On the 18th of September

* Feb. 24th 1709, Joſeph Hammond of the council died at Kittery.

† Theſe ſhips being ſeen in the bay and no certainty of any fleet intended from England, the uſual ſignal for an alarm was given at the caſtle, and the militia in Boſton was kept under arms until evening, when news came that they were Engliſh ſhips. The like happened upon the arrival of a fleet of ſmall merchant veſſels from Saltertudas a year or two after, but the conſternation was greater and more extenſive. The number of ſhips ſeen off Plimouth, was reported to be very great, and ſome of them,

September a fleet ſailed from Nantaſket for Port-royal, 1710.
conſiſting of three fourth rates, viz. the Dragon, commodore Martin; the Cheſter,‡ Matthews; the Falmouth, Riddle; two fifth rates, the Loeſtaffe, Gordon, and the Feverſham, Paſton, together with the Star bomb, Rochfort, and the province galley, Southack, with fourteen tranſports in the pay of the Maſſachuſets, five of Connecticut, two of New-Hampſhire and three of Rhode-Iſland. Theſe, with the tender and tranſports from England, made 36 ſail. There was a regiment of marines, commanded by Col. Redding, and four regiments raiſed in New-England, two commanded by Sir Charles Hobby and Col. Tailer of Maſſachuſets-bay, one by Col. Whiting of Connecticut, and one by Col. Walton of New-Hampſhre. Nicholſon was general and Vetch adjutant-general. One tranſport, Capt. Taye, ran aſhore at the mouth of the river and was loſt, and 26 men were drowned, the reſt of the fleet arrived ſafe at Port-royal, the 24th of September. The forces were landed without any oppoſition. Subercaſe, the governor, had only 260 men, and moſt of them he was afraid to truſt out of the fort, leſt they ſhould deſert to the Engliſh. As the army was marching up to the fort, ſeveral men were killed by the inhabitants, who fired from their houſes and from behind their fences and made their eſcape; and, for three or four days, whilſt the neceſſary preparations were making by the Engliſh, the French threw ſhells and ſhot from the fort, and the bomb-ſhip, on the other hand, plied the French with her ſhells. It was commonly ſaid, after the return of the forces to Boſton, that early intimation was given to the Engliſh that they would meet with no great difficulty,

them, it being war time, were fitted with mizen-top-gallant ſails and ſpreetſail-topſails, and other unuſual ſails for merchant men, and no doubt was made of their being capital French men of war. The country were coming in, when one of the ſmall veſſels arrived and informed of the reſt.

‡ The Cheſter ſailed a ſhort time before the reſt as a cruizer, and joined them on the paſſage.

1710. a decent pretence for a ſurrender was all that was deſired. On the 29th, the governor ſent out a flag of truce, praying leave for ſome of his ladies, who were afraid of the bombs, to be ſheltered in the Engliſh camp. The officer, not obſerving the rules of war, was put under arreſt, and an Engliſh officer ſent to the fort to acquaint the governor with the reaſons of it. The firſt of October, the two engineers, Forbes and Redknap, had three batteries open, two mortars and twenty four cohorn mortars ready, within 100 yards of the fort, and began their firing, the French firing their ſhot and throwing ſhells at the ſame time. The ſame day, Col. Tailer and Capt. Abercrombie were ſent, with a ſummons to ſurrender, and, in conſequence thereof a ceſſation of arms was agreed upon and the terms of the capitulation were ſoon ſettled, and the next day the following articles ſigned.

"ARTICLES of capitulation agreed upon for the ſurrender of the fort at Port-royal, &c. betwixt Francis Nicholſon, Eſq; general and commander in chief of all the forces of her ſacred majeſty Anne queen of Great-Britain, &c. and Monſieur Subercaſe, governor, &c. for his moſt chriſtian majeſty.

1. THAT the garriſon ſhall march out with their arms and baggage, drums beating and colours flying.

2. THAT there ſhall be a ſufficient number of ſhips and proviſions to tranſport the ſaid garriſon to Rochel or Rochfort, by the ſhorteſt paſſage, when they ſhall be furniſhed with paſſports for their return.

3. THAT I may take out ſix guns and two mortars, ſuch as I ſhall think fit.

4. THAT the officers ſhall carry out all their effects, of what ſort ſoever, except they do agree to the ſelling them; the payment of which to be upon good faith.

5. THAT the inhabitants, within cannon ſhot of Port-royal, ſhall remain upon their eſtates, with their corn, cattle and furniture during two years, in caſe they are not

deſirous

desirous to go before, they taking the oaths of allegiance and fidelity to her sacred majesty of Great-Britain. 1710.

6. THAT a vessel be provided for the privateers belonging to the islands in America, for their transportation thither.

7. THAT those, that are desirous to go for Placentia in Newfoundland, shall have leave by the nearest passage.

8. THAT the Canadians, or those that are desirous to go there, may, for during the space of one year.

9. THAT effects, ornaments and utensils of the chappel and hospital shall be delivered to the Almoner.

10. I promise to deliver the fort of Port-royal into the hands of Francis Nicholson Esq; for the queen of Great Britain, within three days after the ratification of this present treaty, with all the effects belonging to the king, as guns, mortars, bombs, ball, powder and all other small arms.

11. I will discover, upon my faith, all the mines, fugasses and casemates.

12. ALL the articles of this present treaty shall be executed upon good faith, without difficulty, and signed by each other at her majesty of Great-Britain's camp before Port-royal fort, this second day of October, in the ninth year of her majesty's reign, Annoque Domini 1710.

Francis Nicholson. Subercase.

MEMORANDUM. The General declared, that within cannon shot of Port-royal, in the fifth article abovesaid, is to be understood three English miles round the fort, to be Annapolis-royal and the inhabitants within three miles to have the benefit of that article. Which persons, male and female, comprehended in the said article, according to a list of their names given in to the general by M. Allein, amounts to 481 persons."

THE English lost 14 or 15 men in the expedition, besides the 26 drowned when the transport was lost. The fort had been neglected and was in a very bad state. Subercase told the general "he was very sorry for the

1710. "king his maſter, in loſing ſuch a ſtrong fort and the "territories adjoining." This was the compliment to Nicholſon, but it was in no condition to ſtand a ſiege. Charlevoix ſays, Subercaſe's character ſuffered a great ſhock. He mentions ſeveral actions which our accounts take no notice of—"The troops being landed and no-"thing to oppoſe their march, went on towards the fort; "but when they came within reach of the cannon, the "governor cauſed ſo ſmart a firing as put them to a "ſtand, killed a great many of their men, &c." Again, "The eighth (N. S.) M. Subercaſe, having obſerved the "ſpot where the enemy were about to erect their bat-"teries, made ſo lucky a fire that Mr. Nicholſon, after "having loſt a great many men, was obliged to retreat."

THE general having left a ſufficient garriſon under the command of Col. Vetch, who was deſtined, in caſe of ſucceſs, to the government of the country, returned with the fleet and army to Boſton, arriving there the 26th of October.

WHILST the forces were at Port-royal, it was thought proper, at a council of war, to ſend Caſtine, who I ſuppoſe was in the fort, and Major Livingſtone to Canada, through the country, with letters to M. Vaudreuil, acquainting him that the country of Acadie was ſubdued and that all the inhabitants, except ſuch as were within cannon ſhot of the fort, were priſoners at diſcretion; and as the council had been informed that he had often ſent out his barbarous Indians to murder the poor innocent women and children upon the frontiers of New-England, if he continued that practice they would cauſe the ſame execution upon the people of Acadie or Nova-Scotia, now abſolutely in their power;* but they abhorred ſuch barbarities, and hoped he would give them no further occaſion to copy after him, but rather would releaſe and ſend home ſuch priſoners as had been taken by the

* This would have been rather a harder caſe upon the poor Acadians than any they have ever been obliged to ſubmit to.

the Indians. After a moſt fatiguing hazardous journey,* having three Indians for their guides, they arrived at Quebec. The governor ſent his anſwer to the meſſage by two partizans, Rouville and Dupuis, by land through Albany, that they might be acquainted with the country and more fit to be employed in making war upon any future occaſion.† The ſum of the anſwer was, that Nicholſon had been ſo well taught the laws of war as to know that they did not admit of repriſals upon ſuch inhabitants as had ſurrendered upon an expreſs promiſe of being well treated. That he, Vaudreuil, never knew the French charged with inhumanity, and he was not afraid to appeal to the Engliſh priſoners, within his government, againſt ſuch a charge; they had often been redeemed from the Indians, at great expence, and, out of pure charity; indeed, the Indians themſelves, ordinarily, did not treat them ill, but let that be as it would, the French 1710.

* I have Livingſtone's journal. He went about the middle of October from Port-royal to Penobſcot, where he was kindly entertained by Caſtine, at his own houſe; and from thence went up the river in canoes, until they came to an iſland where was a great body of Indians, men, women and children. Here, an Indian, being in a rage becauſe ſome Engliſh priſoners had run away with his canoe, ſeized Livingſtone by the throat and would have diſpatched him with a hatchet, if Caſtine had not thrown himſelf between them and reſcued him. The Indians would not ſuffer them to proceed, for ſeveral days. At length, November 4th, they ſet out in their canoes and the next day the canoe, the major was in, overſet and one of the Indian guides was drowned. Soon after, the water beginning to freeze, the ice ſo ſhattered their tender veſſels and made the paſſing ſo difficult, that they were obliged to betake themſelves to the land and to travel by their compaſs, through a country ſo thick with ſpruce, cedar and pine wood and underwood, as to be ſcarce paſſable, and the greateſt part of the way broken and mountainous land. They were above a fortnight without the ſight of the ſun, the weather being ſtormy or foggy the whole time. They had ſpent their proviſions ſix days before they came to any French ſettlement, and lived wholly upon moſs, leaves and dried berries. At length, the 16th of December they arrived at Quebec.

† Charlevoix.

1710. French were not accountable for the behavior of the Indians; it was not his fault, that this unfortunate war was not over a long time ago, and all the miſeries, which had been the conſequence, muſt be attributed to thoſe who had refuſed the neutrality between the two colonies; he was very ready to agree to the exchange of priſoners, but he had not the command of thoſe which were in the hands of his Indian allies; as for the menace, of delivering up the Acadians to the Indians of New-England if the Indians of New-France ſhould refuſe to deliver the Engliſh priſoners, it was contrary to all the rules of juſtice and humanity, and if it ſhould be carried into execution he ſhould be obliged to do as much to all the Engliſh he had in his power. This was all the effect of Livingſtone's moſt fatiguing hazardous journey.

THE affair of the agency in England has often occaſioned a diviſion and contention in the general court. They, who have ſerved the province well and done every thing in their power, have not done enough. If our rights and claims do not appear in the ſame light to thoſe who judge of them in England, as they do to our ſelves, we are too apt to attribute it to the want of ſkill or fidelity in thoſe who appear for us. At this time, a change in the agency was agreed upon from a different cauſe. The change of the miniſtry in England was as alarming to New-England, as to any part of her majeſty's dominions. Mr. Phips was deeply engaged in the new meaſures. There could not then have been any apprehenſion of his removing to Ireland; but a whig people would not be ſatisfied with a tory agent. Sir H. Aſhurſt never had any great powers, and he was now declining in age and health. The party that uſed to ſupport him ſet up his brother, Sir William Aſhurſt, a gentleman of ſuperior character and real worth. Mr. Dudley did every thing in his power to prevent the choice, but when he could not prevail, made a merit of accepting it.

n addreſs to the queen was ſent to Sir William, but he 1710.
fuſed the agency; he was well acquainted with the
ghts put upon his brother and the little or no reward
ven him for ſo long ſervices. When he excuſed him-
f, he recommended a New-England young gentleman,
en in London, Jeremiah Dummer,* who, alſo pro-
ed from the principal merchants in London, trad-
g to New-England, letters in his favor. He was not,
that time, acceptable to Mr. Dudley, and, in a meſſage
the aſſembly, he adviſed them to chuſe Henry New-
n,† a New-England man, then in London alſo, a per-
of great probity, who had lived ſome years in the
duke

Mr. Dummer's grand father, Richard Dummer, was an aſſiſ-
ant the year when Mr. Vane was governor: but, being of the
overnor's party, was left out, with others of the ſame ſide;
nd lived many years after, maintaining a fair character and
cquiring a good eſtate, at Newbury. His father was an
cting juſtice of peace in Boſton. Mr. Dummer, beſides the
dvantage of bright natural parts, had been very well
ducated. The college at Cambridge fitted him for the uni-
erſity of Utrecht, where he ſpent ſome years, and received a
octor's degree. After that, he returned to New-England;
ut finding no proſpect of employment there, that would be
greeable to him, he went to England, where he arrived a little
efore the change of queen Ann's miniſtry. Contrary to the
xpectation of his countrymen and conſtituents, he devoted
imſelf to the perſons in power, was employed by lord Boling-
roke in ſome ſecret negociations and had aſſurances of pro-
notion to a place of honor and profit, but the death of the
ueen blaſted all his hopes. His letter to a noble lord, upon
he Canada expedition, and his defence of the New-England
harters, will tend more to perpetuate his memory, in his coun-
ry, than all his ſervices in the agency, which were far from
nconſiderable. Mr. Dummer conformed to his patron, lord
olingbroke, in religion as well as politicks. In the latter, he
eft him, upon the change of times. In the former, he is ſaid
o have adhered to him to the end of his life. He died in 1739.
he tranſlation of the travels of James Maſſey, wrote to en-
ourage ſcepticiſm and infidelity, was dedicated to Mr. Dum-
er. Some, who did not know they were originally wrote in
rench, ſuppoſed he was the author.

† Mr. Newman was many years agent for the province of New-Hampſhire.

1710. duke of Somerſet's family, and who afterwards w
ſecretary to the ſociety for promoting chriſtian know
ledge; but the choice fell upon Mr. Dummer and th
governor did not think proper to negative him.

MR. DUDLEY found means to remove the prejudic
of Sir William Aſhurſt. From this time, all his letter
are in a different ſtrain from what they uſed to be, an
he repreſents the times to be ſuch, that there was n
proſpect of a better governor, and adviſes the people, i
they could be tolerably eaſy, not to run the riſque of
change. This was not the only time when ſuch a wor
of advice, to this, as well as other colonies, would hav
been ſeaſonable. Mr. Dummer, who was attaching
himſelf to the new miniſtry and had great favor ſhew
him, engaged alſo in Mr. Dudley's intereſt. Mr. Phip
who, at firſt, oppoſed him, had for ſome time been ver
friendly to him. It was a rule with him to gain his ene
mies, he was ſure of his friends. It requires much o
that art and ſkill, of which he is ſaid to have been maſte
to render this rule, for any length of time, ſucceſsful. H
happened alſo, as we have obſerved, when he was in Eng
land, to be known to and favored by Mr. Harley, and hi
intereſt there was ſo eſtabliſhed, that he was no longe
in danger, until the death of the queen cauſed an entir
revolution, both as to men and meaſures. In the pro
vince, ſome reports againſt him were of ſo groſs and cri
minal a nature, that although they might find ſome read
to believe them, at firſt, yet time alone had ſunk the cre
dit of them, and the remembrance of leſſer matters ſun
with it, and the laſt days of his adminiſtration were hi
beſt days.

THIS year, the enemy made their firſt appearance, i
the ſpring, at York, but found the inhabitants upon the
guard. In June, Col. Hilton of Exeter, being in th
woods with 18 men, was ambuſhed by a party, who fire
and killed the colonel and two of his company, and too
two priſoners, the reſt eſcaping. Hilton was a goo
officer, and had behaved well with Church, in 1704, an
upo

on other occaſions; but at this time was off his guard. 1710.
ne hundred men went out upon the alarm, but had no
ner ſucceſs than to bring in the dead mangled bodies to
ecent interment. A few days after, 60 or 70 French
d Indians appeared in the ſkirts of the town of Exeter,
t were alarmed by the firing a gun, and went off with
ir children only, which they picked up in the ſtreet or
d at play, to the unſpeakable diſtreſs of their parents
on receiving the news. In their retreat, they killed
e man and took another priſoner. They then tra-
led weſtward and killed ſeveral of the inhabitants of
aterbury and Simſbury in Connecticut, ſtruck down
on Brookfield and Marlborough, and, from thence, to
elmsford, where Major Tyng was ſlain, an officer re-
cted for his prudence and courage.

THE 2d of Auguſt, about 50 Indians came upon
nter harbour, and hovered about the place, ſome time,
il they had killed four or five and taken eight or ten
the inhabitants. They inſulted the fort, and found
garriſon too many to be taken; but not enough to
y out and attack them. October the 1ſt, ſeveral per-
s, as they were going to meeting at Berwick, were
y laid, one of them killed, another had his horſe ſhot
er him, the reſt eſcaping. The 10th of the ſame
nth, Bomazeen, with 60 or 70 more Indians, appeared
Winter-harbour, killed three or four and took as many
tives; one of the latter was Johnſon Harman, a noted
cer in expeditions, the next war, againſt the enemy.
e Indians, after they had done the miſchief, ſent a
of truce to the fort, and offered to ranſom their
oners, if a veſſel ſhould be ſent to Kennebeck river
receive them.

OUR forces had been ſcouring the woods all the
mer, but the parties of the enemy avoided them.
wards winter, Col. Walton, after his return from
t-royal, with 170 men ranged the eaſtern country,
killed a Norridgewock chief and ſix or eight others,
made a ſecond march to Winnepiſiaukee, without
any

1710. any ſucceſs; but in, the mean time, the Indians, he w
hunting after, were ſeeking for their own bloo
game, more or leſs of which they met with at Coche
York, Wells, &c.*

1711. AFTER Port-royal was reduced, Nicholſon went
England to ſollicit another expedition againſt Canad
and, although his intention was known, there ſeemed
be no expectation that he would ſucceed. The Ne
England people we have obſerved were all Whigs
ſuppoſed the Tory miniſtry to be determined upo
peace, and rather diſpoſed to ſuffer France to recover
of what ſhe had loſt, than to make further acquiſi
from her. And there was a general ſurprize at Nic
ſon's return to Boſton, the 8th of June, with orders f
the queen to the ſeveral governments of New-Engl
to New-York, the Jerſeys and Penſylvania to have t
quotas of men in readineſs for a fleet which was ex
ted to arrive a few days after, and in fact did arrive
24th following. This was ſhort warning. What
more extraordinary, ten weeks proviſion for the a
was to be procured at Boſton. It was one reaſon g
for this meaſure, that there might be no ſuſpicions
Europe, of the deſtination of this armament. It m
well be doubted whether it would be poſſible to pro
ſuch a quantity of proviſions at Boſton in ſeaſon, an
it was not, it would be impoſſible to proceed.
extraordinary meaſure increaſed a jealouſy, began be
that it was not deſigned Canada ſhould be taken
that the blame ſhould be caſt upon New-England.
jealouſy may have been as groundleſs as the ch
which Walker firſt and, after him, many other au
have brought againſt New-England, for not affo
that ready aſſiſtance which was expected; but it ce
ly had this effect, to cauſe, not only the governmen

* July 29. 1710, died at Briſtol, in Maſſachuſets-bay, John
Eſq; who had been one of the council.
Feb. 9th 1710-11, died Col. John Foſter, one of the counc
the charter, and a wealthy merchant in the town of Boſ
a moſt fair and unblemiſhed character.

even private perſons to exert themſelves with more zeal and vigor than had been done upon any other occaſion; and the people ſubmitted, not without reluctance, it is true, to have their property taken from them, in a way and manner which I think the people of Great-Britain or Ireland, at this day, would not ſubmit to. A general meeting of all the governors was appointed, immediately after Nicholſon's arrival at New-London, and they were ſitting when the fleet arrived. The aſſembly happened to be ſitting at Boſton, when the firſt orders came. The governor, without delay, recommended to them a full compliance with the orders he had received. The firſt thing neceſſary, was money. The credit of the treaſury was ſo low in England, that no merchants or private perſons here would take bills, unleſs the drawers would make themſelves reſponſible, and there was no body authorized to draw ſuch bills. The general court determined to iſſue forty thouſand pounds in bills of credit, and to lend them to merchants and others, for the term of two years. Theſe perſons with their bills of credit purchaſed bills of exchange upon the treaſury in England, which, it was hoped, before the expiration of the two years, would be paid, and, if they ſhould not, it would be in the power of the government to continue the loan, but there was no engagement to do it. The next difficulty to be removed was the extravagant price to which proviſions had ſtarted, upon the advice of this extraordinary demand. For this purpoſe, an order paſſed the court, ſtating the prices of the ſeveral ſpecies of proviſions neceſſary for the ſervice. The owners of the proviſions ſhut up their ſtores, or removed their proviſions in order to conceal them. The demand, which had raiſed the price, they urged, was the common chance in trade, which every merchant was juſtly intitled to. Another order ſoon paſſed the court, to impreſs all proviſions, in whoſe poſſeſſion ſoever, and for this purpoſe to open all doors and enter. This effected a general compliance. The ſhort time ſpent for this purpoſe and 1711.

the

1711. the refuſal of particular perſons to ſubmit at firſt, cauſed a charge from the officers againſt the country in general, for unneceſſarily delaying the fleet and army; and no notice was taken of the zeal of the government and this extraordinary meaſure for the removal of theſe impediments. The addition of ſo many mouths had cauſed a ſudden riſe of all poultry and freſh meat, and at that ſeaſon of the year, if the uſual conſumption had continued, the forces muſt have failed of neceſſary refreſhment. This conſideration induced many of the principal gentlemen in Boſton, to deny themſelves and to engage, while the fleet lay there to eat ſalt proviſions and no other in their families. The ſoldiers and ſeamen, ſome of them, deſerted and were concealed by the inhabitants who were juſtly cenſured for doing it; but not ſo the country, for in all countries, there are more or leſs perſons who for the ſake of gain will do the ſame. A law againſt this offence was made, with a very ſevere penalty, and a more ſummary way provided for trial of the offence than ever had been in any inſtance before. The deſertion of the men put the Admiral out of temper, and he wrote the governor an angry letter, in which he tells him, the ſervice had been prejudiced, rather than forwarded ſince his arrival at Boſton, and demands from the government a ſupply of men equal to the loſs. This could be done in no other way than an impreſs. The inhabitants, it muſt be owned, would not have ſubmitted to it but, in general, would have preferred a priſon on ſhore to a man of war at ſea.

BESIDES the miſtake, in the plan of this expedition, with reſpect to a ſpeedy ſupply of proviſions at Boſton without previous notice, there was another, in preſuming that ſkilful pilots were to be obtained there. The beſt in the country were ſhipmaſters, who had been once or twice up the river St. Lawrence. Theſe were employed in other buſineſs, upon which their future ſupport depended, and they were averſe to leaving it; but the government impreſſed them into the ſervice,

ſervice, and afterwards was charged with their defect of ſkill, which, admitting it to be true, could not be helped. 1711.

THE troops were all landed upon Noddle's iſland, about a mile from the town, where they were every day exerciſed in a healthy air; and it was allowed, that men were never landed and reimbarked in better order. The land force, including two regiments from New-England, amounted to near 7000 men, an army more than equal in number to that which afterwards reduced Quebec, under general Wolfe; although, in 1711, it was not half ſo ſtrong as in 1759.

THE fleet, which arrived at Boſton, conſiſted of 15 ſail of men of war and 40 tranſports, and all ſailed again the 30th of July. Greater diſpatch could not well be expected from ſuch ſhort warning. Nicholſon ſet out for Albany the ſame day, to take the command of the forces which were to march by land.

NOTHING remarkable happened in the paſſage of the fleet to Gaſpee, where it arrived the 18th of Auguſt and ſailed again the 20th. The next day and the day after proving foggy, and the wind beginning to blow freſh at E.S.E. the ſhips brought to, with their heads to the ſouthward, being out of ſight of land and out of ſoundings. This, the admiral, in his own account, ſays was by the advice of the pilots, both Engliſh and French, and that they were of opinion the fleet would drive into the midſt of the channel or river. The New-England pilots always denied they gave ſuch advice, and declared, upon their oaths, their opinion was not followed nor regarded. Some of the principal perſons on board one of the ſhips which belonged to New-England, reported that upon the fleet's being ordered to lie with their heads to the ſouthward the whole ſhip's company determined they muſt drive upon the north ſhore, and they were confirmed in their former jealouſy, that it was never intended the fleet ſhould arrive at Quebec. This, however, is incredible, and the admiral, who had not the character of an abandoned man, was incapable of ſacrificing

1711. the lives of ſo many men; and, it muſt be preſumed, he would not have thrown away his own life, which was expoſed as well as the reſt. The pilots from Boſton ſuppoſed the admiral had a very mean opinion of them, and laid greater ſtreſs upon the judgment of the French pilots, who, through ignorance or from deſign, occaſioned this wrong meaſure. In two or three hours after the fleet brought to, ſome of the tranſports were among the breakers. Eight or nine ſhips were loſt upon the rocks, about midnight, one thouſand of the men that were on board drowned, and about ſix or ſeven hundred ſaved by the other ſhips. All the men of war eſcaped; the admiral's ſhip is ſaid to have anchored, and the reſt either ſtood off or came to anchor; and the next morning, the wind ſhifting to W.S.W. the admiral bore away for Spaniſh river, the men of war and tranſports following; but, the wind ſhifting again to Eaſt, they were eight days before they all arrived, and, as they had the wind, might more eaſily have gone to Quebec. In a council of war, it was unanimouſly reſolved, not only not to make any further trial to go up the river St. Lawrence, but alſo not to attempt any thing againſt Placentia in Newfoundland; the fleet not being ſufficiently victualled for either. They ſailed the 16th of September, and the admiral arrived the 9th of October at Portſmouth and, the 15th, his ſhip, the Edgar, blew up; the cauſe not being known, jealous minds would ſuggeſt that even this was not without deſign.

THE admiral ſuppoſed, in his account of the expedition, that if they had arrived at Quebec and landed their men, their misfortune would have been ſtill greater; that the French would either have quitted the place and carried all their proviſions with them, or that they would have defended the place until the proviſions of the fleet and army were ſpent and they muſt have laid down their arms; or if they finally ſurrendered, it was not to be expected the proviſions, for ſo ſmall a garriſon, would have laſted any time for twelve thouſand men, and French

and

and Engliſh muſt have ſtarved together. Vaudreuil had 1711.
made the beſt preparations he could for their reception, having early notice, of their coming, from the governor of Placentia. An Engliſh priſoner, carried in there from Boſton, gave an account of Nicholſon's arrival, of the fleet that was to follow, and of the forces intended by way of the lake; and the captain of a privateer ſaw the fleet within 60 leagues of Boſton. This intelligence was afterwards confirmed by an Onondago Indian, who came to Quebec to inform of the great preparations making at Albany.†

NICHOLSON had made but little progreſs in his march when he received the news of this diſaſter, and, if the fleet had arrived ſafe, he would have been too late to have drawn any of the French force from Quebec, before ſo much of the proviſions of the fleet had been ſpent that it would not have been ſafe to have remained any longer; and it is well he did not proceed, for aſſoon as Vaudreuil had advice of ſo many ſhips ſtove, and ſo many dead bodies with red coats drove upon the ſhore, and that the river was clear of ſhips, he ordered all the ſtrength of Canada towards Montreal and the lake Champlain, which, if Nicholſon had paſſed, would have been ſufficient to prevent his return.

To compleat the charge againſt the Maſſachuſets, they are ſaid to have repreſented the navigation to Quebec to be eaſy and without hazard, of which they were wholly ignorant; for the French, after an hundred years experience, almoſt every year ſuffered ſhipwreck, and ſailing in the bay and river St. Lawrence was ſo hazardous that they could hardly obtain ſailors for a voyage thither. The Maſſachuſets people knew very well that Phips and his fleet went up and down without difficulty, in 1690; that flags of truce had frequently paſſed and repaſſed, and they ſuppoſed the French repreſented the paſſage difficult, to deter other nations, and experience now ſhews that they judged right.

† Charlevoix.

1711. THE American tranſports were all preſerved, except one victualler, and the crew of that were ſaved. The diſappointment and loſs was grievous to New-England. Some pious minds gave over all hopes of reducing Canada. So many attempts blaſted, plainly indicated, as they conceived, that providence never deſigned the whole northern continent of America for one European nation. Upon the firſt news in England of the diſaſter, the blame was laid upon governor Dudley, and it was ſaid he would be removed, but his conduct ſoon appeared to have been unexceptionable.*

UPON the return of the Maſſachuſets troops, they gave an account of the freedom uſed by the ſea and land officers, in attributing the whole misfortune to the colonies. The forces were unreaſonably detained at Boſton—The proviſions fell ſhort of what was expected —The pilots were ignorant and not fit to be truſted. The general court therefore thought that it was neceſſary to exculpate themſelves, and that it would be prudent to lay no blame any where elſe. The governor, in his ſpeech, Octob. 17. ſays "I condole with you upon "the ſorrowful diſaſter of the fleet and forces ſent hi-"ther, by her majeſty's ſpecial favor, to all her good "ſubjects in the provinces of North-America. I have "had time enough, ſince the account thereof, to conſi-"der the ſeveral articles of her majeſty's commands to "this government for the putting forward the expedi-"tion, and, therein I cannot charge this aſſembly with "neglect in any particular; but when I peruſe the "journal of the proceedings, I think there was all pro-"viſion and expedition made, in every article referring "to ſoldiers, artificers, pilots, tranſports and proviſions "for the ſervice of her majeſty's Britiſh forces, as well as "our own; which I hope you will ſee reaſon to conſider "and repreſent home for our juſtification, that it may be "demonſtrated, that we were in earneſt to do our duty, "to the utmoſt, for our own benefit and eſtabliſhment, "as well as her majeſty's honor and juſt rights."

THREE

* Letters from London in 1711.

THREE of the principal pilots, in the ſervice, were 1711.
ſent to England, to be ready to give an account of their conduct, if enquiry ſhould be made. A journal of the proceedings relative to the expedition was prepared and tranſmitted, together with an addreſs † to the queen. The inſtructions to the agent were given with prudence and caution. "It chiefly concerns us to ſet forth that we "have done our duty, by giving all aſſiſtance in obe- "dience to her majeſty's royal commands, as we have "repreſented in our humble addreſs herewith tranſmit- "ted to be preſented by you, and will appear by the "journal and orders accompanying the ſame. We com- "ported with the ſupplies, in the large demands made "upon us, to the utmoſt of our power, beyond what we "had at firſt a reaſonable proſpect to have provided "timely, having ſo ſhort notice, but made our utmoſt "efforts and happily got through the ſame, in which "you are to vindicate and juſtify the government.

"IT is not our province, nor muſt you enter there- "into, to fault or impeach others, for want of doing "their duty, or for their conduct in that affair, any fur- "ther than is abſolutely neceſſary for our own vindica- "tion. If there be juſt cauſe therefor, her majeſty in "her princely wiſdom will direct the enquiry thereinto."

THE pilots waited many months in England, ready to anſwer any queſtions, but none were ever aſked, nor was any enquiry ever made into the cauſe of the failure of the expedition. Upon the whole, it cannot be conceived that the admiral, general and principal perſons employed in the execution of this plan, purſued any particular meaſures in order to defeat and overthrow it; that thoſe who projected it in England, had not good reaſon to expect from the inſufficient proviſion made that it muſt

† In this addreſs, it is among other things aſſerted, that one fifth part of the whole inhabitants of the province, capable of bearing arms, were in pay that ſummer. The like proportion were employed two or three years ſucceſſively in the late war. This would be thought extraordinary in any ſtate in Europe.

1711. fail of ſucceſs and, at beſt, were well content that it ſhould, is not ſo certain.*

ALTHOUGH

* The account which Charlevoix gives of the French pilot does not agree with Walker's. "There was on board the admiral, a French priſoner, one Paradis, an old ſeaman who was perfectly acquainted with the river St. Lawrence: This man cautioned him, when he was off the ſeven iſlands, not to venture too near the land, and he obliged him to make frequent tacks and to keep near the wind, which did not favor him. At length the admiral tired out and, perhaps, ſuſpecting the pilot only deſigned to wear out his men, refuſed to come to ſtays and bordered ſo near a little iſland called the iſle of eggs, that he and ſeven more were driven aſhore by a very ſudden ſquall at ſouth eaſt, and ſtove to pieces and but very few people were ſaved."

I will add a brief account of the diſaſter the fleet met with, from a letter of the New-England commiſſary, Sampſon Sheaf.

"When I accepted the employment, of commiſſary to the New-England forces on the Canada expedition, it was in hopes of doing ſome good ſervice; wherein I deſigned to do my beſt, and hoped with my diligence and beſt underſtanding to have been of ſome uſe, but on the 22d of Auguſt, our fleet under the command of Sir Hovenden Walker, about 8 or 10 leagues above the entrance of Canada river, about 11 or 12 at night, met with a diſmal diſaſter. Ten or eleven of the Britiſh tranſports run on the north ſhore and were daſhed to pieces againſt the rocks. I hear but of one veſſel belonging to New-England met with any damage. There is an eminent providence of God therein, which doubtleſs we ought to conſider; but as to the inſtrumental cauſe, by whoſe miſconduct, remains to be examined, and I hope will be made evident. The admiral and general were in great danger, they ſaved themſelves and their ſhips, by anchoring, but loſt ſeveral anchors. It was lamentable to hear the ſhrieks of the ſinking, drowning, departing ſouls. The ſhip, wherein I was embarked, with very great difficulty weathered the rocks, but we were in no capacity to ſuccour them that were in diſtreſs.

Admiral Walker, juſt before our departure from Spaniſh river, ſet up a croſs with an inſcription, dated 15th of September, *In nomine Patris, &c.* the purport of which was, that thereby he took poſſeſſion of that country for her majeſty.

This will be a bitter pill for New-England. The French will now employ their Indians with redoubled rage and malice, to diſtreſs and deſtroy our expoſed frontiers.

Annapolis-Royal, Octo. 6. 1711."

ALTHOUGH the principal object of this expedition was not obtained, yet, in all probability, Annapolis-royal was saved by it from falling into the hands of the French. The garrison there was reduced to a handful of men. Between two and three hundred of the New-England forces were kept there, after the place was reduced, and four in five were dead, and they were afraid even of the Acadians alone, without any additional strength; but the French court, sensible of their mistake in not giving more attention to the preservation of that country, when it was in their hands, pressed the governor of Canada, in the strongest manner, to exert himself for the recovery of it. A body of troops was raised and ready to depart from Canada, when the news arrived of the English fleet and other preparations making; and the men which were designed against Nova-Scotia were detained at home to defend Canada. The French inhabitants of Acadie, having notice of the force intended from Canada, grew insolent, and it was not safe for an English man to stir out of the fort. Assoon as they heard of the disappointment, they became submissive again and made acknowledgment of their faults; but at the same time let Vaudreuil know, that the French king had no better subjects, and necessity alone had brought them to this submission. These were the inhabitants round the fort, included in the capitulation. Many of those at a distance had not yet submitted to the English, and Capt. Pigeon, an officer of the regulars, was sent up the river to destroy some of the French houses, as well as to cut timber for the repair of the fort. He was surprized by a great number of Indians, who killed the fort major, the engineer and all the boat's crew, and took thirty or forty of the garrison prisoners. This stroke encouraged the inhabitants again to take up arms, and five hundred of them, with as many Indians as they could collect, were preparing to attack the fort, expecting an experienced officer from Placentia to head them; but the governor not being able to spare one, they laid down their arms again and dispersed. 1711.

1711. To meet the French or Indian enemy, who were expected upon our frontiers, Col. Walton was ſent, in the fall, with 180 men, as far as Penobſcot, where he burned two veſſels which were deſigned for privateers or cruizers, and took ſome priſoners.

THE year 1711 was rendered remarkable by a fire in the town of Boſton, which from that time until the year 1760 was called the great fire. It was ſuppoſed to have been cauſed by the careleſſneſs of an old woman in or near what is called Williams's court; all the houſes on both ſides of Cornhill, from ſchool-ſtreet to what is called the ſtone ſhop in Dock-ſquare, all the upper part of King-ſtreet on the ſouth and north ſide, together with the town-houſe, and what was called the old meeting houſe above it, were conſumed to aſhes.*

1712. EARLY in the ſpring, the enemy fell upon us, and made ſpoil upon Oyſter river, Exeter, Kittery, York and Wells. In May, a party of Engliſh went up Merrimack river and killed eight Indians, without loſs to themſelves; but the Indians will not reſt long without revenge. In June and July, they killed or took priſoners ſeveral from Berwick, Kittery, Wells, Dover and Kingſton. At Dover, apprehending they were in danger as they were ſcalping two children, for greater diſpatch they took off both their heads, leaving the bodies a doleful ſpectacle to their unhappy parents. In the fall, a great number of people being at a wedding of Capt. Wheelwright's daughter of Wells, the enemy ſurprized ſeveral of the company, and among the reſt the bridegroom, Mr. Plaiſted, ſon to a gentleman of Portſmouth. The Indians expected a good ranſom for ſuch a priſoner, and, inſtead of carrying him to Canada, ſent in a flag, and offered, upon payment of three hundred pounds to releaſe him, and the money was paid and the priſoner returned. I am tired

* Col. Tailer arrived in the fall of the year 1711 with her majeſty's commiſſion for lieutenant governor.

tired of relating theſe inroads of the enemy, many of 1712.
which I have given an account of in general terms, and avoided frequently enumerating circumſtances which excite horror from the meer relation. This was the laſt action of any conſequence. In the ſpring, after the 1713.
peace of Utrecht was known in America, the Indians ſent in to Major Moodey at Caſco, to pray that there might be peace between the Engliſh and them alſo, and propoſed a treaty to be held there; but the governor thought it more for his honor to oblige them to come to Portſmouth, the chief town of one of his governments, than to go to the borders of their uſual reſidence; and, upon the 13th of July, they entred anew into articles of ſubmiſſion and pacification, ſigned by a number of chiefs of their ſeveral tribes, wherein they aſk pardon for all their paſt rebellions and violations of former promiſes, and engage to demean themſelves for the future as very obedient faithful ſubjects of the crown of Great-Britain. An obſervation occurs to me which I may properly enough bring in at the cloſe of this war.

NOTWITHSTANDING the inhabitants in the colonies, in general, double their numbers, from their natural growth or increaſe, in twenty five years at moſt, yet the growth of the Maſſachuſets colony and New Hampſhire have born no proportion to the reſt; and in the year 1713 there was not double the number of inhabitants in the Maſſachuſets province, which the ſeveral colonies, of which it was formed, contained fifty years before. During this period, there was no remarkable emigration to other colonies. There was vacant land ſufficient, to extend ſettlements upon, and as eaſy to be procured as any where elſe. The heavy taxes may have drove ſome to other governments, but the chief reaſon of the difference is the conſtant ſtate of war which thoſe two provinces were in, the Maſſachuſets eſpecially. From 1675, when Philips war begun, to 1713, five or ſix thouſand of the youth of the country had periſhed by the enemy, or by diſtempers contracted in the ſervice; nine in ten of

1713. theſe would have been fathers of families and, in the courſe of 40 years, have multiplied to near an hundred thouſand ſouls. †

I cannot avoid a reflection alſo upon the heavy burdens which the province ſubjected it ſelf to during this war, I ſuppoſe beyond thoſe of any other ten years from the firſt ſettlement. The caſtle and other fortifications at Boſton, the ſeveral forts in the eaſtern country, the various expenſive expeditions actually profecuted, and the preparations made for others, added to the conſtant defence of the extenſive frontiers and to the ſupport of the civil government, without any relief or compenſation from the crown, certainly muſt have occaſioned ſuch an annual burden as was not felt by any other ſubjects of Great-Britain, and the merit of the people of that day ought not to be forgot.

THE ſettlement of the line of juriſdiction between the province and the colony of Connecticut which was accompliſhed in the year 1713, after ineffectual attempts for ſeveral years before, deſerves particular notice. In 1636 the firſt ſettlers upon Connecticut river removed from the Maſſachuſets and took poſſeſſion of the country upon and near the river on both ſides, from Springfield as low as Weathersfield, incluſive of both, and managed their affairs by virtue of authority from the general court of the Maſſachuſets. In 1638 the inhabitants of Springfield, which included what was afterwards called Suffield, below on one ſide of the river, and Enfield on the other ſide, having no doubt that they were within the limits of the Maſſachuſets patent, petitioned the general court that they might be ſeperated from the other towns below, and be received and continued as part of the

† The ſame obſervation may be made from 1722 to 1762. The inhabitants have not doubled their number. The loſs of 2 or 3000 young men, at and after the ſiege of Louiſburgh, will go a great way towards accounting for the deficiency. It is probable there would have been 200,000 ſouls more than there are at this time in New-England, if the French had been driven from Canada an hundred years ago.

he colony, which was granted and juriſdiction exerciſed 1713.
ccordingly. In 1642, by order of the general court, two
athematicians, as they are called in the records, Nathan
Woodward and Solomon Saffery run a line weſt, as they
uppoſed, from a ſtation three miles north of Charles
iver until they came to Windſor, upon Connecticnt river,
here it ſtruck the houſe of Biſſell who kept the ferry.
The people who had ſettled upon Connecticut river had
o better title to land or juriſdiction than poſſeſſion,
he grant made them by the Maſſachuſets general court
eing a meer nullity.

In 1630, the Earl of Warwick had obtained from the
ouncil of Plimouth a patent of the lands upon a ſtrait
ne near the ſea ſhore towards the ſouth weſt, weſt
nd by ſouth, or weſt, from Naraganſet river forty
eagues, as the coaſt lies towards Virginia, and all within
hat breadth to the ſouth ſea, and yet, in 1635, all the
nds between Connecticut river and the Naraganſet
ountry were aſſigned by the ſame council to the Mar-
uis of Hamilton. Lord Say and others had purchaſed
he Earl of Warwick's title, and by their agents built a
ort at the mouth of Connecticut river about the year
635, and four or five years after Mr. Fenwick came
ver with deſign to take poſſeſſion of the lands upon
onnecticut river under lord Say, &c. and remained in
oſſeſſion of the mouth of the river until 1644, when the
ttlers purchaſed the title of the lords, as it was called,
d formed themſelves into, or continued the form they
d aſſumed, of a body politic.

When the line was run by Woodward and Saffery,
enwick was to have joined, as the Maſſachuſets commiſ-
oners for the united colonies afterwards affirmed, though
onnecticut commiſſioners denied it, and in 1648, when
diſpute aroſe about a duty required of Springfield for
e ſupport of the fort at the mouth of the river, the
aſſachuſets offered to run the line anew if Connecticut
ould be at the charge, the Maſſachuſets having been at
e ſole charge before, but this was not agreed to, and the
fort

1710. fort being burned down, and the controverſy about the duty at an end, this line ſeems to have been acquieſced in, and, in 1662, Mr. Winthrop obtained from king Charles a charter for the colonies of Connecticut and New-Haven united, the north line whereof is intended to be the ſame with the ſouth line of Maſſachuſets. From this time, until after the incorporation of the Maſſachuſets by a new charter in 1691, we hear nothing about bounds, except ſome controverſies between Springfield and Windſor about their towns grants, and letters from the authority of each government relative to it; and, in 1686, many of the inhabitants of Roxbury pitched upon a tract of land to ſettle upon, which was bounded on the ſouth by Woodward and Saffery's line, and it was granted to them by the Maſſachuſets government and took the name of Woodſtock. Grants were alſo made to particular perſons of tracts of land near to this line.

AFTER the new charter, Connecticut made a more ſerious affair of what was called the Maſſachuſets encroachments, and in 1700, upon the appointment of a committee by Connecticut with a general power to ſettle the bounds between the two governments, the Maſſachuſets appointed a committee* with a ſpecial limited power, viz. to find the ſouthernmoſt line of the late colony of Maſſachuſets-bay as anciently run by Nathanael Woodward and Solomon Saffery, and to make report thereof to the general court. This was not what Connecticut wanted, for they ſuppoſed Woodward and Saffery's line to be erroneous, however they appointed a committee† to attend the work, who reported to their conſtituents that a line from three miles north of Charles river, or Woodward and Saffery's ſtation, would run ſome miles to the northward of John Biſſell's houſe, where Woodward and Saffery ſuppoſed it to run, and in 1702 Mr. Winthrop, the governor of Connecticut, wrote to governor Dudley and deſired that the Maſſachuſets would

* Col. Hutchinſon, Mr. Taylor, Mr. Anthrum, and Mr. Prout.

† William Pitkin, Eſq; and Capt. William Whiting.

would join in ascertaining the difference of latitude be- 1713.
tween the Charles river station and Bissell's house. There were other attempts to bring this affair to a conclusion, but ineffectual, and in 1708, by a state of the case read in both houses, it appears that the Massachusets intended "to rely upon the line formerly run, as it is therein said, by two skilful artists in the year 1642, and which has continued the stated boundary for 66 years." They add, that Connecticut charter which was granted in 1662 was bounded by the south line of the Massachusets, which was not then an imaginary or untried line, but well known to the gentleman* who sollicited that charter, who if he had thought it controvertible would doubtless have obtained an order for rectifying and adjusting it, and supposing, which was not granted, that there should be any error or mistake in the line, yet, having been run and stated so long before the grant of Connecticut charter and held by possession for 66 years, and towns and plantations having been granted and settled upon the same, it was unreasonable, now, to draw it into question.

THERE being so little prospect of the Massachusets receding from a line of which they had so long been in possession, Connecticut made their application to England, and I find by a letter from governor Saltonstall of Connecticut, in 1710, that he was expecting orders concerning it. If any came, probably they were such as repeatedly afterwards were sent to New-Hampshire, viz. to settle the controversy by commissioners appointed or agreed upon by the general courts of each colony. Be that as it may, it is certain that Connecticut renewed their application to the Massachusets, and at length commissions passed the seals of each government with ample powers to settle the controversy. The Massachusets were intent upon securing the property to such persons to whom they had granted lands and the jurisdiction of those towns which had been settled by them. Suffield, Enfield and Woodstock were the only towns which could be affected. Connecticut was also apprehensive that part of

* Vol. I. p. 100.

1713. of the town of Simſbury, which had been ſettled by that government, might fall within the Maſſachuſets. It was therefore ſettled as a preliminary, that the towns ſhould remain to the governments by which they had been ſettled and the property of as many acres as ſhould appear upon a balance to have been gained by one government from the other ſhould be conveyed out of other unimproved lands as a ſatisfaction or equivalent, only, as there was about two miles which Windſor claimed upon the town of Suffield, there having been long conteſt between theſe two towns concerning the validity of the reſpective grants, it was agreed the two miles ſhould belong to Connecticut if they fell within their line.

NOTHING could be more equitable nor tend more to the future peace and content of the inhabitants of the conteſted borders.

IT appeared, by the report of the commiſſioners, that 107793 acres of land were due from the Maſſachuſets; who accordingly made a grant thereof to Connecticut. They accepted and made ſale of the ſame and applied the produce to the ſupport of Yale college and other public uſes, and the controverted towns for many years after continued without moleſtation under the juriſdiction by which they were firſt ſettled.

THE affairs of the war had ſo engaged the attention of all perſons, that we hear little of party diſputes and diſcord, for five or ſix years paſt; but aſſoon as they were delivered from enemies without, a contention began within, from a new cauſe, the effects of which were felt many years together. The paper bills of credit were the cauſe of this contention. So many bills had been iſſued for the charges of the war, particularly the large ſum of forty thouſand pounds, iſſued for the Canada expedition, that they were become the ſole inſtrument and meaſure of commerce, and ſilver and gold were entirely baniſhed. Of two inſtruments, one in uſe in a particular ſtate only, the other with the whole commercial world, it is eaſy to determine which muſt leave that particular ſtate and which remain. The currency of

of ſilver and gold intirely ceaſing, the price of every thing bought or ſold was no longer compared therewith, but with the paper bills, or rather with meer ideal pounds, ſhillings and pence. The riſe of exchange with England and all other countries, was not attributed to the true cauſe, the want of a fixed ſtaple medium, but to the general bad ſtate of the trade. It was thought that increaſing the paper bills would enliven and reform the trade. Three parties were formed, one very ſmall, which was for drawing in the paper bills and depending upon a ſilver and gold currency. Mr. Hutchinſon, one of the members for Boſton, was among the moſt active of this party. He was an enemy, all his life, to a depreciating currency, upon a principle very ancient, but too ſeldom practiſed upon, *nil utile quod non honeſtum.* 1713.

ANOTHER party was very numerous. Theſe had projected a private bank, or rather had taken up a project publiſhed in London in the year 1684; but this not being generally known in America, a merchant in Boſton was the reputed father of it. There was nothing more in it, than iſſuing bills of credit, which all the members of the company promiſed to receive as money, but at no certain value compared with ſilver and gold; and real eſtates, to a ſufficient value, were to be bound as a ſecurity that the company ſhould perform their engagements. They were ſolliciting the ſanction of the general court, and an act of government to incorporate them. This party, generally, conſiſted of perſons in difficult or involved circumſtances in trade, or ſuch as were poſſeſſed of real eſtates, but had little or no ready money at command, or men of no ſubſtance at all; and we may well enough ſuppoſe the party to be very numerous. Some, no doubt, joined them from miſtaken principles, and an apprehenſion that it was a ſcheme beneficial to the public, and ſome for party ſake and popular applauſe.

THREE of the repreſentatives of Boſton, Mr. Cooke, ſon to the agent, we have ſo often mentioned, Mr. Noyes, a gentleman in great eſteem with the inhabitants in general.

1713. general, and Mr. Payne, were the ſupporters of the party. Mr. Hutchinſon, the other (an attempt to leave him out of the houſe not ſucceeding) was ſent from the houſe to the council, where his oppoſition would be of leſs conſequence. The governor was no favorer of the ſcheme, but the lieutenant governor, a gentleman of no great fortune, and whoſe ſtipend from the government was trifling, engaged in this cauſe with great zeal.

A THIRD party, though very oppoſite to the private bank, yet were no enemies to bills of credit. They were in favor of a loan of bills from the government to any of the inhabitants who would mortgage their eſtates as a ſecurity for the re-payment of the bills, with intereſt, in a term of years, the intereſt to be paid annually, and applied to the ſupport of government. This was an eaſy way of paying public charges, which, no doubt, they wondered, that in ſo many ages the wiſdom of other governments had never diſcovered. The principal men of the council were in favor of it, and it being thought by the firſt party the leaſt of two evils, they fell in with the ſcheme, and, after that, the country was divided between the public and private bank. The houſe of repreſentatives was near equally divided, but rather favorers of the private bank, from the great influence of the Boſton members in the houſe, and a great number of perſons of the town, out of it. The controverſy had an univerſal ſpread, and divided towns, pariſhes, and particular families.*

1714. AT length, after long ſtruggle, the party for the public bank prevailed in the general court, for a loan of fifty thouſand pounds in bills of credit, which were put into the hands of truſtees † and lent for five years only, to

* May 8. 1713. died at Yarmouth John Thacher, Eſq; one of the council, in his 75th year.

In Vol. I. p. 395, it is ſaid Sir Edmund Andros died in Virginia, but I find by letters from London dated the 24th Feb. 1713-14, that he died there in that week.

† The truſtees were Andrew Belcher, Addington Davenport, Thomas Hutchinſon, Edward Hutchinſon, and John White.

to any of the inhabitants at 5 per cent. intereſt, one 1714.
fifth part of the principal to be paid annually. This leſſened the number of the party for the private bank, but it increaſed the zeal, and raiſed a ſtrong reſentment, in thoſe which remained.

A veſſel, which arrived at Boſton from Ireland the 15th of September, brought the firſt news of the death of the queen, and the acceſſion of king George the firſt; and two days after, a veſſel arrived, from ſome part of Great Britain, with the printed proclamation in the London Gazette. This, the governor thought ſufficient warrant, without expreſs orders, for proclaiming the king in the province. The practice in the colonies has not been uniform on the like occaſions. At New-Hampſhire, the king was proclaimed from the ſame intelligence, the 22d of September;* at Rhode-Iſland, the 29th; at New-York, the 11th of October; at New-Haven, in Connecticut, the 14th; at Philadelphia, the 27th; no expreſs orders being received in any of thoſe places; but at Annapolis-royal it was delayed until the 2d of December. The propriety of proceeding without expreſs orders has been queſtioned, but the abſurdity of acts of government, in the name and by authority of a prince, for months together, after certain intelligence of their demiſe, has generally influenced the governors to proceed.

THE ſecret deſigns of Queen Ann's laſt miniſtry were no where more ſuſpected, nor more dreaded, than in the Maſſachuſets; and the firſt of Auguſt was no where celebrated with greater joy, during the whole of the king's reign.

THE Hazard ſloop ſent expreſs from England, with orders to the government, was loſt upon Cohaſſet rocks, the 12th of November; the veſſel being ſtove to pieces,

* The 23d by ſpecial order from the governor the king was proclaimed at Salem, the civil and military officers and principal gentlemen as well as great numbers of other inhabitants attending. This was not the only inſtance of reſpect ſhewn by Mr. Dudley to this ancient and reputable town.

1714. and no papers of any conſequence ſaved. Enough waſhed aſhore to make certain what veſſel it was, and one man had been landed and left at Nantucket. Six months, from the king's acceſſion, expired and no orders had arrived for continuing officers in their poſts. The authority of the governor began to be called in queſtion. By the charter, upon the death, removal or abſence of the governor and lieutenant governor and there being no perſon commiſſionated as governor within the province, in ſuch caſes the government devolves upon the council or the major part of them. The council deriving their authority from charter and not from a royal commiſſion, the act of parliament limiting the continuance in office to ſix months after the death of a prince, it was ſuppoſed, could not affect their authority. The advice, of the miſcarriage of the firſt orders, went the firſt opportunity to England, and new orders were daily expected, and ſome were inclined to wait; but, on the 4th of February, the council aſſumed the government, the lieutenant governor, being of the council, joining with the reſt, and iſſued a proclamation for all officers to continue in their poſts, &c.

AN inſtruction had been given by the queen, in 1707, directing that in caſe of the death or abſence of the governor and lieutenant governor, the eldeſt councellor ſhould preſide in the province; but the charter giving the powers of government to the major part, this inſtruction was not regarded.

THE adminiſtration of the council was ſhort, and nothing of moment was tranſacted. On the 21ſt of March, the king's proclamation was received, and the governor re-aſſumed with as great parade as if he had been firſt entering upon the government, but he had reaſon to expect his rule would be ſhort. His friends in the province were increaſed. Thoſe who had been his greateſt oppoſers had many of them changed ſides and were ſtrongly attached to him, and uſed what intereſt they

they had with Sir William Aſhurſt * and others that he might be continued, and at their requeſt Aſhurſt appeared for him. The Bankers were the chief of the diſaffected, and Col. Byfield, † a gentleman of the council, father in law to the lieut. governor, went over to England to endeavour to ſupplant him, but wanted intereſt. In England Mr. Dudley loſt his friends by the queen's death. Col. Burgeſs, who had ſerved under General Stanhope, was by his intereſt, in February, appointed to the government, and his commiſſions paſſed the ſeals March the 17th, and Aſhurſt writes, that the General had promiſed to be anſwerable for his good behaviour. 1714.

Mr. Dudley met the aſſembly, at the election in May, but made no ſpeech, though he had never failed of doing it before. The Council and Houſe choſe his great adverſary Mr. Cooke, ‡ whom he had ſo often negatived, into the council, and either from indifference, or a ſpirit of forgiveneſs before his political departure, he now approved of him. 1715.

* "I am glad to hear of the proſperity of New-England, and that the governor engages the good wiſhes of the people for his continuance. I am of opinion you cannot be better than you are at preſent; if you ſhould have a new one you muſt expect it to be a neceſſitous perſon.—Certainly you have reaſon to expect more advantages from one that is born among you than from a ſtranger to your conſtitution."—

W. Aſhurſt to I. Mather, Aug. 10. 1714.

† Col. Byfield came from England about the year 1680, and ſettled ſoon after at Briſtol, in the colony of New-Plimouth. His father was Richard Byfield, one of the aſſembly of divines; his mother, ſiſter to biſhop Juxon. He had intereſt to obtain a commiſſion for judge of the admiralty in 1703, which he held until 1715. He complained of being injuriouſly reproved by Mr. Dudley in council, for ſome alledged errors in judicial proceedings, and was after that always in the oppoſition.

‡ Mr. Cooke died the 31ſt of October this year, aged 78. He was eſteemed as a phyſician, but moſt remarkable in his political character, having been more than forty years together employed in places of public truſt, alway firm and ſteady to his principles. I am obliged to Mr. Middlecot Cooke, his grandſon, for many of his papers, which have been of great uſe. The ſame day Thomas Oliver, Eſq; another of the council, died at Newton.

Mr.

1715. COL. Burgeſs intended to ſtay a ſhort time in England. The bank party were impatient for the removal of Dudley, who did not favor them, and whoſe ſecond ſon William Dudley, who began to have great weight in the houſe of repreſentatives, was a violent oppoſer. An unuſual ſtep was taken, that the governor's commiſſion might be ſuperſeded. An exemplification of Burgeſs's commiſſion was obtained, and that, with the new commiſſion or warrant to the lieutenant governor Tailer, were publiſhed in Boſton, at the ſame time, the 9th of November ;* and thereupon Tailer took upon him the adminiſtration. It was queſtioned, whether this was regular, the commiſſions lay three or four weeks for the council to conſider of ; but at length they adviſed to the publication. I know of no other inſtance of the publication of a governor's commiſſion in the Maſſachuſets before his arrival in perſon. In Virginia, it muſt have been practiſed, if a publication has been judged neceſſary ; ſeveral of their governors having never been in the colony. The houſe of repreſentatives, the firſt day of their ſitting (Nov. 23d) appointed a committee to conſider of the commiſſions, but no public exception was taken. Mr. Dudley's friends were ſenſible he could continue but a ſhort time, for the original commiſſion, with

Mr. Addington died this year alſo (March 19. 1714-15.) He had been ſecretary before the arrival of the charter, and had the character of great integrity and of being in every other reſpect well qualified for his poſt. After his death, the governor appointed his ſon Paul Dudley and Addington Davenport commiſſioners for keeping the great ſeal and the public records and files, until his majeſty ſhould appoint a ſecretary for the province.

Samuel Woodward arrived at Boſton, Sept. 22d, 1715, with his majeſty's commiſſion for ſecretary.

Nov. 16. Ichabod Plaiſted, Eſq; another of the council, died in his 52d year.

* His commiſſion for lieut. governor under Burgeſs had been read in council the 24th of September, and he then took the oaths, but no exemplification of Burgeſs's commiſſion was then arrived.

with the new governor, would remove all doubt; he himſelf was in advanced life, near ſeventy, and had felt ſo much of the burden of government, that he might well be weary of it and, like his friend Mr. Stoughton, wiſh to retire. 1715.

No New-England man had paſſed through more ſcenes of buſy life than Mr. Dudley. His friends intended otherwiſe. He was educated for the miniſtry, and if various dignities had been known in the New-England churches, poſſibly he had lived and died a clergyman; but, without this, nothing could be more diſſonant from his genius. He ſoon turned his thoughts to civil affairs; was firſt a deputy or repreſentative of the town of Roxbury; then an aſſiſtant; then agent for the colony in England, where he laid a foundation for a commiſſion, ſoon after, appointing him preſident of the council, firſt for Maſſachuſets-bay only, but, under Andros, for all New-England. Upon the revolution, for a ſhort time, he was ſunk in diſgrace, but ſoon emerged. He appeared, firſt, in the character of chief juſtice at New-York, then, returning to England, became lieutenant governor of the Iſle of Wight and member of parliament for Newtown, both which places he willingly reſigned for the chief command in his own country. Ambition was the ruling paſſion, and, perhaps, like Cæſar, he had rather be the firſt man in New-England than the ſecond in Old. Few men have been purſued by their enemies with greater virulence, and few have been ſupported by their friends with greater zeal. We have ſeen a ſecond generation inherit the ſpirit of their anceſtors, the deſcendants, on one ſide, preſerving an affection for his family and poſterity, and on the other, retaining equal diſaffection againſt them. Some of his good qualities were ſo conſpicuous, that his enemies could not avoid acknowledging them. He applied himſelf with the greateſt diligence to the buſineſs of his ſtation. The affairs of the war and other parts of his adminiſtration

1715. were conducted with good judgment. In œconomy he excelled both in public and private life. He ſupported the dignity of a governor without the reproach of parſimony, and yet, from the moderate emoluments of his poſt, made an addition to his paternal eſtate. The viſible increaſe of his ſubſtance made ſome incredible reports of groſs bribery and corruption to be very eaſily received; but, in times when party ſpirit prevails, what will not a governor's enemies believe, however injurious and abſurd? At ſuch a time, he was charged with diſpenſing *ſummum jus* to Leiſler, and incurring an aggravated guilt of blood, beyond that of a common murderer. The other party, no doubt, would have charged the failure of juſtice upon him, if Leiſler had been acquitted. His cringing to Randolph, when in his heart he deſpiſed him, was a ſpot in his character; and his ſecret inſinuations, to the diſadvantage of his country, was a greater; both being for the ſake of recommending himſelf to court favor. I think it is no more than juſtice to his character, to allow that he had as many virtues as can conſiſt with ſo great a thirſt for honor and power.

HIS life would afford convincing evidence, if there was any doubt, that an humble calm mind enjoys more happineſs in private life than an ambitious anxious mind in the higheſt ſtation. No man in our hiſtory had ſeen more of the *temporum varietates fortunæque viciſſitudines* which Cicero, in one of his epiſtles to Lucceius, ſays afford a pleaſing narration, however irkſome to the man who has the experience of them.

COL. TAILER's ſtrong attachment to the bank party procured him the adminiſtration, for a few months; but was the cauſe of his loſing his commiſſion for lieutenant governor immediately after. It was ſuppoſed, I know not upon what grounds, that Col. Burgeſs would favor the ſame party, and his arrival was every day wiſhed for by them; whilſt the other party dreaded it, and labored to

o prevent it. It was ſaid alſo, that, in other reſpects, 1715.
he would by no means be agreeable to the country; a gentleman of a more grave ſerious turn of mind would be more likely to be happy here himſelf and to render the people ſo. Mr. Belcher, afterwards governor, who was very oppoſite to the bank party, was then in London, he joined with Mr. Dummer, the agent, and they engaged Sir William Aſhurſt with them, and prevailed upon Burgeſs for a thouſand pounds ſterling, which Belcher and Dummer advanced equally between them, o reſign his commiſſion, that Col. Shute might be appointed in his ſtead. Col. Tailer's friends had endeavoured to engage Aſhurſt in his favor, but to no purpoſe;† the ſame intereſt obtained the lieutenant governor's commiſſion for Mr. William Dummer, a New-England gentleman, who had married a daughter of Mr. Dummer, one of the commiſſioners at Plimouth, and was n ſome poſt there himſelf; but, his wife dying, he had eturned to his native country.

COLONEL SHUTE's family were, generally, diſſenters: His father an eminent citizen in London; his mother, aughter of Mr. Caryl, a diſſenting miniſter of great note. His brother, afterwards lord Barrington, was then a ember of parliament, and at the head of the diſſenting intereſt. The colonel began his education under Mr. Charles Morton, who about the year 1684, came to New-England and was miniſter of Charleſtown. After uition under him, he was ſent to Leyden. He went fter that into the army under king William, who made

† "I have no deſign to leſſen Col. Tailer's merit, but I muſt obſerve on this article, that you ſeem knowingly and induſtriouſly to ſuppreſs the true reaſon of his popularity, which is his being at the head of the private bank, and which I take to be a new and ſtrong reaſon for putting him out of his employment; and, in this, I do not rely upon my own judgment, but upon the judgment of many principal gentlemen in the bank of England, who condemn it as miſchievous to the country, and calculated to ſerve private, ſiniſter views." *Aſhurſt's let. to Mather.*

1715. him a captain, ſerved under the duke of Marlborough, was a lieutenant colonel and wounded in one of the principal battles in Flanders. He had a good acquaintance, and was well eſteemed at court; had the character of a friend to liberty, and was of an open, generous and humane diſpoſition. A governor of his character might be ſuppoſed to be welcome to New-England men, but the intereſt of party prevails over all other conſiderations, and virtue, religion, private friendſhip and public good are all ſacrificed to promote it.*

CHAP.

* Feb. 14. 1715-16. died at Salem William Browne, Eſq; in his 78th year, an aſſiſtant under the old charter and one of Sir Edmund Andros's council, which ſeems to have been the reaſon of his not being nominated by Mr. Mather, and appointed by king William under the preſent charter. This neglect naturally procured him ſome votes at the firſt election afterwards, and he was brought into the council and continued many years.

Jan. 14th, the ſame year, died at Salem Elizabeth Patch, the firſt born female in the old colony of Maſſachuſets-bay, ſo that ſhe muſt have lived 86 or 87 years, and April 14th following, died at Newport Mary Godfrey, aged about 87, being the firſt child born there. The longævity of the firſt born in each of the three colonies is worth noting. See p. 148.

CHAP. III.

From the arrival of Governor Shute, in 1716, to the arrival of Governor Belcher, in 1730.

COLONEL SHUTE arrived at Boſton, October the 4th, 1716, in a merchant ſhip, and was received with uſual parade. He made the oppoſers of the bank his firſt acquaintance, the old governor's family in particular, and took his lodgings at Mr. Paul Dudley's. He had received very unfavorable impreſſions of the other party, from Mr. Belcher and Mr. Dummer, in England, and was conſidered, from his firſt arrival, as an enemy to the ſcheme, and the heads of the party were the heads of an oppoſition, during the whole of his adminiſtration. In his firſt ſpeech to the general court, November 7th, he puts them in mind of the bad ſtate of the trade of the province, an important article of any people's happineſs, owing, as he ſuppoſed to the great ſcarcity of money, and recommends the conſideration of ſome effectual meaſures to ſupply this want and thereby to reſtore trade to a flouriſhing condition. This was pointing out to them a further emiſſion of government's bills, and the repreſentatives, pleaſed with ſo eaſy a method of obtaining money, ſoon determined upon a ſecond loan, of one hundred thouſand pounds for ten years, to be put into the hands of commiſſioners appointed for each county in proportion to their taxes. This proviſion being made by the government, there was the leſs pretence for private perſons or companies iſſuing their bills; but it gave no relief to the

1716. the trade, the whole currency ſoon depreciating to that degree, as, with this addition, to anſwer the purpoſes of money very little more than if it had not been made. The governor became ſenſible of it and recommended to them to provide againſt it, which they were not able to do, and many of them would not have been willing if they had been able, being in debt, and by means of the depreciation diſcharging their debts by a nominal ſum, perhaps of not more than one half the real value of the debts. He ſoon found the effects of it upon his own ſalary, which they refuſed to advance as the bills ſunk, and having recommended this meaſure in a public ſpeech it became more difficult afterwards to refuſe repeating it.

THE province had been at war with the eaſtern Indians, except ſome ſhort intervals, for about forty years. The proſpect of a long peace between Great Britain and France encouraged us to hope for the like with the Indians, who had always been under French influence, but their father, Rallé a jeſuit, was conſtantly inſtigating them to inſult and annoy the new ſettlers who, he pretended, encroached upon the lands of the Indians, and by ſupplying them with ſtrong drink debauched their morals and prevented the progreſs of the good work he had began among them. A treaty or conference was thought expedient to confirm them in their friendſhip with the Engliſh, and, if poſſible, to draw them from the roman catholic to the proteſtant religion. The governor,
1717. therefore, the firſt ſummer after his arrival, in Auguſt, attended by ſeveral of the council both of Maſſachuſets and New-Hampſhire and other gentlemen, met the Indians at Arowſick iſland.

AT the beginning of the conference, he delivered them an Engliſh and an Indian bible, which he told them contained the religion of the Engliſh, and at the ſame time recommended to them Mr. Baxter, a miniſter who went down as a miſſionary, and told them he would explain the bible and inſtruct them in the principles of religion. They were at no loſs for an anſwer. "All people,

le, they ſaid, loved their own miniſters; and as for 1717.
he bible, they deſired to be excuſed from keeping it,
God had given them teaching, and if they ſhould go
rom that they ſhould diſpleaſe God." They were fixed
n their religion and it would have been a loſs of time
o attempt to move them. The reſt of the conference
as upon the right of the Engliſh to ſettle in that part
f the country. Upon complaint made, by the Indians,
f encroachments upon their lands, the governor pro-
uced one of the original deeds which had been given
y their ſachems. They acknowledged the lands, to
he weſt of Kennebeck, belonged to the Engliſh, but
hey were ſure no ſale had ever been made of any lands
o the eaſt. The governor told them, the Engliſh
would not part with an inch of the land which belonged
o them. The Indians were ſo offended that they roſe
mmediately and, without any ceremony, took to their
anoes and went to another iſland where they had their
ead quarters, leaving behind an Engliſh flag which the
governor had given them.* In the evening, ſeveral of
them

* Wiwurna. We are willing to cut off our lands as far as the mills and the coaſts to Pemaquid.

Governor. Tell them we deſire only what is our own, and that we will have. We will not wrong them, but what is our own we will be maſters of.

Wiw. It was ſaid at Caſco treaty that no more forts ſhould be made.

Gov. Tell them the forts are not made for their hurt, and that I wonder they ſhould ſpeak againſt them, when they are for the ſecurity of both, we being all ſubjects of king George.

Wiw. We cannot underſtand how our lands have been purchaſed, what has been alienated was by our gift.

His excellency hereupon ordered that a deed of ſale of lands on Kennebeck river, made by ſix Indian ſagamores to Richard Wharton, ſhould be opened and exhibited to them, which was done and partly read and interpreted to them.

Wiw. As for the weſt ſide of Kennebeck river I have nothing to ſay, but am ſure nothing has been ſold on the eaſt ſide.

Gov. I expect their poſitive anſwer and compliance in the matter, that the Engliſh may be quiet in the poſſeſſion of the lands they have purchaſed.

Wiw.

1717. them returned to Arowſick with a letter from Rallé to the governor, acquainting him, that the French king did not allow, that in any treaty he had given away the land of the Indians to the Engliſh, and would protect the Indians againſt the Engliſh encroachments. The governor let them know, that he highly reſented the inſolence of the jeſuit, and the next morning ordered the ſignal for ſailing. Rallé, in his letters, often laments the unſteadineſs of the Indians. They were afraid at this time of a new war. The old men were loth to quit their villages at Norridgewock and Penobſcot, where they lived at eaſe, and encamp in the woods or, which was much worſe, depend upon the French who, they would often ſay, treated them like dogs when there was no immediate occaſion for their ſervice. This conſideration induced them to ſend two of their number with a meſſage to the governor, acknowledging that yeſterday they had been rude and unmannerly and earneſtly deſiring to ſee him again. He let them know he would ſee them upon no terms, unleſs they quitted their pretenſions.

Wiw. We don't know what to think of new forts built.

Gov. I have ſpoke to that already and told them they are for our mutual defence.

Wiw. We ſhould be pleaſed with king George if there was never a fort in the eaſtern parts.

Gov. Tell them that wherever there is a new ſettlement I ſhall always order a fort, if I think it proper, and that it is for the ſecurity of them and us; and ſo do the French. Are any people under the ſame government afraid of being made too ſtrong to keep out enemies?

Wiw. We are a little uneaſy concerning theſe lands, but are willing the Engliſh ſhall poſſeſs all they have excepting forts.

Gov. Tell them we will not take an inch of their land, nor will we part with an inch of our own.

Wiw. We ſhall have fiſhing and fowling where we will.

Gov. It is freely conſented to and they are aſſured of it.

Then the Indians roſe up at once and withdrew in a haſty abrupt manner, without taking leave, and left behind them their Engliſh colours, returning to the head quarters at Puddleſtone's iſland.

Conference at Arowſick, 1717.

ſions to the lands which belonged to the Engliſh. This 1717.
he meſſengers promiſed ſhould be done, and deſired that
he Engliſh colours which they had ſlighted might be
eturned them. In the evening, they came again to the
onference and appointed a new ſpeaker as a mark of
reſentment againſt the former who, they ſaid, had be-
haved ill the day before, and, without entring into any
diſpute about particular limits or bounds, declared they
were willing the Engliſh ſhould ſettle where their pre-
deceſſors had ſettled, deſired to live in peace and to be
ſupplied with neceſſaries, in a way of trade, confeſſed
hat ſome of their inconſiderate young men had offered
injuries to the Engliſh and violated the treaty of Portſ-
mouth in 1713. After renewing that treaty, the con-
ference ended.

THE beginning of an adminiſtration in the colonies
s generally calm and without ruffle. Several months
paſſed, after Col. Shute's arrival, without open oppoſition
o any meaſures. The town of Boſton at the firſt
election of their repreſentatives, left out ſuch as had been
bank men, and choſe ſuch as were of the other party,
but Mr. Cooke, who was at the head of the firſt party,
had intereſt enough to obtain a place in council. It
was, ſoon after, inſinuated that the governor was a weak
man, eaſily led away, and that he was in the hands of
he Dudleys, men of high principles in government, and
t behoved the people to be very careful of their liber-
ies. Mr. Cooke, who had the character of a fair and
pen enemy, was free in expreſſing his ſentiments, and
he governor was informed of ſome contemptuous lan-
guage in private company, with which he was ſo much
offended as to procure Mr. Cooke's removal from the
place of clerk to the ſuperior court. A diſpute hap-
pening about the ſame time between Mr. Bridges† ſur-
veyor

† John Bridges came to New-England by way of New-York in 1698, in the ſame ſhip with Lord Bellamont. He was com-
miſſioned,

1717. veyor of the woods, and the inhabitants of the province of Maine, concerning the property of the white pine trees within that province. Mr. Cooke immediately inſerted himſelf in the controverſy, publickly patronized the inhabitants, and in a memorial to the houſe of repreſentatives charged the ſurveyor with male conduct in threatning to proſecute all who without licence from him ſhould cut any pine trees in their own ground, which Mr. Cooke alledged they had good right to do, and he further charged the ſurveyor with permitting, ſuch perſons as would pay him for it, to cut down the trees which were ſaid to belong to the king.

THE ſurveyor thereupon preferred his memorial to the governor and council, juſtifying himſelf in the diſcharge of his truſt, and complaining of Mr. Cooke, one of the members of the council, for officiouſly concerning himſelf with the affairs of the ſurveyor's office, and obſtructing his meaſures for the ſervice of the crown. Mr. Cooke had many friends in the houſe ready to ſupport him, and this diſpute was the beginning of the public controverſy which continued until the end of Col. Shute's adminiſtration; parties were formed, new ſubjects for contention from time to time were furniſhed, until at length the governor was forced to leave the province.

I DO not find any vote of council upon this memorial, but the governor eſpouſed the cauſe of the ſurveyor, and, to ſhew his reſentment againſt Mr. Cooke, when the
1718. liſt of councellors was preſented at the next election directed his ſpeech to him in particular, and let him know

miſſioned, together with Benja. Furzer, by the commiſſioners of the navy, to enquire into the ſtate of the country and its capacity for producing naval ſtores, and they were to ſurvey the woods, not meerly for maſts, but for oak timber for ſhip building, for trees for tar, pitch and turpentine, and for land ſuitable for hemp. There being no hopes of ſucceſs from the other parts of the commiſſion, it was ſoon confined to the preſervation of maſts and, ſo far only, ſerved as a precedent to ſucceeding ſurveyors of the woods.

know he would excuſe him from attending at the board for the enſuing year.* 1718.

Mr. Cooke, ſoon after, preſented his memorial to the council, in which he juſtified his own conduct and charged Mr. Bridges with "uſing his utmoſt efforts to invade the rights and properties of the people in the province of Main by his exorbitant actions, as well as baſely betraying the truſt the crown had inveſted him with, by daily ſelling and bartering the very logs and timber which he gave

* The form of proceeding has always been for a committee of the houſe to lay before the governor a liſt of the councellors elect, upon which he ſignifies his conſent or refuſal and ſends back the liſt by the ſecretary, which is read in council and then in the houſe.

In the month of April 1717, a pirate ſhip, the Whidah, of 23 guns and 130 men, Samuel Bellamy commander, ventured upon the coaſt of New-England near to Cape Cod, and after having taken ſeveral veſſels ſeven of the pirates were put on board one of them, who ſoon gat drunk and went to ſleep. The maſter of the veſſel which had been taken run her aſhore upon the back of the cape and the ſeven men were ſecured. Soon after, the pirate ſhip, in a ſtorm, was forced aſhore near the table land and the whole crew, except one Engliſhman and one Indian, were drowned. Six of the company, upon trial by a ſpecial court of admiralty, were pronounced guilty and executed at Boſton, November 15th.

The year 1717 was remarkable for a greater mortality among aged people than had at any time been known. Five of the council died within the compaſs of a year, all of them well eſteemed. John Hawthorn at Salem, May 10th, aged 76. Andrew Belcher, October 31ſt, aged 71. Wait Winthrop, November 7th, — 76. Eliſha Hutchinſon, December 10th,— 77, and Eliakim Hutchinſon, April 22, — 78. The laſt four of Boſton. Henry Dering and his wife, in one grave, and another inhabitant of Boſton, Robert Winſor, and his wife in another, were buried the ſame evening, all above 70.

The famous Indian warrior Benjamin Church, who had eſcaped the enemy's bullets in a great number of encounters when in the moſt imminent hazard, met death this year by a fall from his horſe, at the age of 78.

Mr. Woodward, ſecretary of the province, tired of a poſt of much labour and little emolument, diſpoſed of it to Joſiah Willard, Eſq; who obtained the royal commiſſion and arrived at Boſton from London December the 12th.

1718. gave out was the king's, his maſter, whoſe bread he then eat." The council ſuffered the memorial to lay upon their table, but acted nothing upon it. Afterwards upon the appointment of a committee by the houſe, they joined a committee of council to conſider in general of Mr. Bridges's conduct. This committee, in their report, juſtified Mr. Cooke, and condemned the proceedings of the ſurveyor. The council put off the conſideration of this report alſo, but the houſe voted their acceptance of it. The governor, of courſe, tranſmitted to the board of trade an account of all theſe proceedings and very ſoon received an anſwer, cenſuring the houſe of repreſentatives for countenancing and encouraging Mr Cooke. This being laid before the houſe, they by a vote declared that the cenſure of the board of trade was occaſioned "by ſending home the papers on one ſide only whereby their lordſhips were informed ex parte." The houſe had avoided any direct attack upon the governor until this vote, many of the principal members this year being well affected to him, but the party, without doors eſpecially in Boſton, had been increaſing againſt him, and at the next election for that town, they ſent all new members † and a change was made in many other towns unfavorable to the governor's intereſt.

THE famous projector Captain Coram, in the year 1718, was buſy in a ſcheme for ſettling Nova-Scotia and the lands between Nova-Scotia and the province of Maine and a petition was preferred by Sir Alexander Cairnes James Douglaſs and Joſhua Gee, in behalf of themſelves and others, praying for a grant upon the ſea-coaſt five leagues ſouth weſt and five leagues north eaſt of Chibuctow harbour, where they propoſed to build a town and to improve the country round it in raiſing hemp, making pitch, tar and turpentine, and they undertook to ſettle a certain number of families to conſiſt of 200 perſons in three years, the reſt of his majeſty's ſubjects not to be prohibited fiſhing on the coaſts under regulations

† Eliſha Cooke, Oliver Noyes, Iſaiah Tay and William Clark

To this petition, Mr. Dummer the Maſſachuſets agent objected, becauſe of the laſt clauſe, which laid a reſtraint upon the fiſhery. The lords of trade, however, reported in favor of it, but it ſtopped in council. 1718.

ANOTHER petition was preferred by William Armſtrong and others who had been officers and ſoldiers in the army, "praying for a grant of the lands between Nova-Scotia and the province of Main, the ſaid tract of land having been conquered by the French in 1696 and poſſeſſed by them until 1710, when it was recovered by the Engliſh and, by the treaty of Utrecht, was with Nova-Scotia given up by France to the Britiſh crown." The conqueſt in 1696 was the taking Pemaquid fort and holding poſſeſſion of the harbour two or three days. This, however, was made a ſerious affair and the agent, Mr. Dummer, was ſeveral times heard before the lords of trade. The general court being reſtrained from conveying theſe lands without conſent of the crown, it was propoſed, that if they would conſent to reſign the juriſdiction between Kennebeck and Penobſcot the crown ſhould confirm the property of the ſoil, but upon the propoſal's being communicated to the court they inſtructed their agent to make no conceſſions.

ONE Sarah Watts, ſetting forth that ſhe was heir at law to Thomas Goffe, deputy governor and one of the 26 patentees of the old colony, claimed a 26th part of the colony, and the iſſues and profits for 80 or 90 years. She filed a bill of complaint in chancery againſt the province, and there was a commiſſion of ſequeſtration for ſeveral New-England ſhips in the river, which coſt the owners ſeveral guineas, each, to the ſharpers who had urged the woman to the ſuit. The agent was required to anſwer the bill, which he did by declaring that if the complainant could make it appear that Thomas Goffe was once ſeized of a 26th part of the colony, and that ſhe was heir at law to him, which he did not believe ſhe was able to do, yet he verily believed that when the patentees, with others, were incorporated into a body

1718. politic their reſpective rights ceaſed and paſſed to the corporation, who had granted the lands away. The poor woman was at laſt arreſted for debt and ſent to Newgate, where ſhe periſhed.

1719. THE governor, in the beginning of the year 1718, had conſented to an impoſt bill which laid a duty not only upon Weſt-India goods, wines, &c. but alſo upon Engliſh manufactures and a duty of tonnage upon Engliſh ſhips. Before the ſeſſion in May, the next year, he had received an inſtruction from the king to give all encouragement to the manufactures of Great Britain. The houſe, however, paſſed a bill of the ſame tenor with that of laſt year,* and ſent it to the council for their concurrence. An amendment was propoſed, viz. to leave out the duty upon Engliſh veſſels and goods, but the houſe adhered to their bill. A conference enſued, for the houſe were not, then, ſo exact as they have been ſince, in refuſing to confer upon money bills. This produced nothing more than a propoſal from the houſe to alter the word Engliſh to European, which, being trivial, was refuſed. It ſeems, the governor, a little out of time, had taken the opinion of the council upon this queſtion, whether, conſiſtent with his inſtruction, he could give his conſent to the bill, which they determined he could not, if it ſhould be offered to him. The houſe then tried the council with the following reſolve, "The houſe inſiſt on their vote, foraſmuch as the royal charter of this province gives power to the government to impoſe and levy proportionable and reaſonable aſſeſſments, rates and taxes upon the eſtates and perſons of all and every the proprietors and inhabitants of the ſame, which this government has been in the free and uninterrupted exerciſe of ever ſince the enjoyment of the ſaid charter. Sent *to the upper houſe* for their concurrence." The *upper houſe* was a new name for the council, and deſigned as a ſneer and to intimate that they might conſider themſelves

* The houſe never paſs an impoſt bill or bill for the general tax for the ſupport of government for a longer term than one year.

ſelves in another capacity, than as a privy council.* Per- 1719.
haps if Cromwell's epithet for his houſe of lords had come into their minds, it would have been *the other houſe.* Taunts and language which tends to irritate, can upon no occaſion be juſtifiable from one branch of the legiſlature to the other. Upon an agreement and harmony the intereſt of the people depends. Upon different apprehenſions of this intereſt, if it be the real object, the ſeveral branches, by the perſuaſive voice of reaſon, will ſtrive to convince each other, and be willing to be convinced as truth ſhall appear.

THE council thought themſelves unkindly treated and, by a meſſage, deſired the houſe to alter their vote, but they refuſed to do it and gave their reaſons for the new form. "The houſe have received new and unuſual treatment from the board. 1ſt, It is new and unuſual for the council to give his excellency their advice upon a bill, till they have acted in concert with the houſe in concurring or non-concurring. 2d, It is likewiſe new and unuſual for the council to deſire a free conference, upon a ſubject matter, and then, at the management, to inform the houſe that by a previous vote they had ſo far engaged themſelves that they could not recede from it. 3d, It is likewiſe a new and unuſual method for the honorable board, after a meſſage to the houſe deſiring ſeveral amendments to a bill of rates and duties which were in a great meaſure agreed to by the houſe, immediately to nonconcur the bill. 4th, It is likewiſe new and unuſual for the honorable board to intermeddle ſo much with the grants and funds, which this houſe take to be their peculiar province."

THE houſe having in this manner, expreſſed their reſentment returned to their old ſtile, and then the council, by meſſage, let them know that they would not give their concurrence to any bill laying a duty upon european

* Whatever the ill is, the *upper houſe* is the cauſe of it, that being the true name of it; a grand jury being peers as well as they. *Mr. Vaughan in Grey's debates of the houſe of commons.*

1719. goods, denied the charge made againſt them by the houſe, of innovations, and intimated that any further meſſages would only tend to increaſe the miſunderſtanding and retard the affairs of the government and deſired the houſe, rather to join with them in a diligent endeavor to bring the ſeſſion to ſuch a concluſion, as ſhould promote his majeſty's honor and the intereſt of the province.

SEVERAL weeks having been ſpent in theſe altercations, the governor thought it time to interpoſe and, ſending for the houſe to the council chamber, he made the following mild and healing ſpeech to them.

"Gentlemen,

"MY deſign in ſending for you up at this time, is to let you know how concerned I am at the unhappy miſunderſtandings, that have been for many years between the council and your houſe relating to the impoſt bill, and to aſſure you that no perſon here preſent can be more deſirous of preſerving the privileges of this people than myſelf, ſo far as is conſiſtent with the late inſtructions I have received from my royal maſter, which have by his ſpecial direction been laid before this court. I am fully perſuaded, that to act any way contrary thereto, after the many debates and votes which have been upon that head, would rather deſtroy than preſerve thoſe privileges we juſtly prize. Gentlemen, I deſire your ſerious conſideration of what I have hinted, that ſo the important affairs of the province yet lying before you may have a ſpeedy and happy concluſion."

THIS ſpeech which, a year or two after, when the prejudices againſt the governor were at the heighth, would have been excepted to as irregular and anticipating matters, which it would have been time enough for the governor to have declared his ſenſe of when they came to be laid before him, had now a good effect, and the houſe, the ſame day, reſolved that a new impoſt bill ſhould be brought in and that the controverted clauſe in the former bill ſhould be left out, but in the preamble to their reſolve they make a heavy charge againſt the council for not concurring their former bill.

"WHEREA

"WHEREAS this houſe have voted and paſſed a bill granting to his majeſty ſeveral rates and duties of impoſt and tonnage of ſhipping, in which was included one per cent. on European merchandize, for which article or clauſe the honorable council have ſeveral times non-concurred the ſaid bill, notwithſtanding all proper endeavors have been uſed by this houſe to attain the ſame which have hitherto proved fruitleſs, whereby a conſiderable part of the revenue, which would have accrued to this province, is for this preſent ſeſſion foregone, which alſo tends to the depriving this government of their juſt rights, powers and privileges granted by the royal charter, Reſolved," &c. 1719.

THE council were fond of peace and, aſſoon as this reſolve came to their knowledge, they ſent a meſſage to the houſe deſiring they would not print the reſolve in their votes, as it would have an ill effect and would oblige the council, in their own vindication, to reply, although they wiſhed that all controverſy, between the two houſes, might ceaſe. The houſe printed it, notwithſtanding, and the next day the council ſent the following anſwer.

"THE board are very much concerned to find, among the votes of the honorable houſe, a declaration as if the council, in nonconcurring the bill of impoſt as it was firſt framed, had done that whereby a conſiderable part of the revenue, which would have accrued to this province, is for this preſent ſeſſion foregone, which alſo tends to the depriving this government of their juſt rights, powers and privileges granted by the royal charter.

"THIS declaration contains, or implies, ſuch a charge as the council can, by no means, ſuffer themſelves to lie under, without aſſerting and ſolemnly declaring their integrity, and they are more ſurprized, at the imputation of doing a thing which tends to deprive this government of their juſt rights, powers and privileges granted by the royal charter, becauſe on the 23d current the board ſent down a meſſage to the honorable houſe, 'that they were always ready and deſirous to concur

1719. with the honorable houſe of repreſentatives in ſuch pro-poſals relating to an impoſt, as may not tend to alter or expoſe our preſent happy conſtitution under the royal charter;' ſo that it was from a ſincere and juſt regard to the rights, powers and privileges of this government granted by the royal charter, that the council choſe rather to omit the duty of one per cent. on Engliſh goods for this ſeſſion.

"THAT the council apprehended the duty of one per cent. on Engliſh goods affected the trade of Great-Britain and ſo came within the meaning of his majeſty's late additional inſtruction, is certain: And, being of that opinion, it would have been inconſiſtent for the board to concur the bill of impoſt as it was ſent up, however, they can boldly and truly ſay, they have acted from a principle of duty to his majeſty, love and fidelity to their country, and have nothing more at heart than the juſt, wiſe and careful preſervation of thoſe invaluable rights, powers and privileges granted by the royal charter which God long continue."

This controverſy being over the court was prorogued.

BEFORE the next ſeſſions in November, the governor received a reprimand from the lords juſtices, the king being abſent, for conſenting to the duty on Engliſh goods, &c. by the impoſt act in 1718. This he laid before the court. The ſame houſe, which had ſo long contended with the council, the ſeſſion before, for this clauſe in the bill, now "readily acknowledge the exceptions taken to it are juſt and reaſonable." An inſtruction to the governor to ſupport the ſurveyor of the woods in the execution of his office, which was communicated to the houſe at the ſame time, was not ſo favorably received; and in an anſwer or remonſtrance occaſioned by the governor's ſpeech they charge the ſurveyor with inſtances of very groſs male conduct. What evidence they had of it does not now fully appear. The governor, by a meſſage, deſired they would not print their remonſtrance.

The

They ſent a committee to acquaint him, they muſt inſiſt upon the right they had to make it public. He made a very great miſtake and told the committee, that his majeſty had given him the power of the preſs and he would not ſuffer it to be printed. This doctrine would have done well enough in the reigns of the Stuarts In the preſent age it is juſtly exceptionable; although by the liberty of the preſs we are not to underſtand a liberty of printing every thing, however criminal, with impunity. The houſe had no opportunity to take notice of this declaration. Upon another occaſion they let him know they had not forgot it. The governor was ſo diſpleaſed with the proceedings of the houſe that he put an end to the ſeſſion and they never met again. 1719.

We are now arrived to the memorable year 1720. The conteſts and diſſentions in the government roſe to a greater height than they had done ſince the religious feuds in the years 1636 and 37. 1720.

The public affairs, in general, were in a very indifferent ſtate. The Indians upon the eaſtern frontiers were continually inſulting and menacing the Engliſh inhabitants, ſo that but little progreſs had been made in ſettling the country ſince the peace and, this year, moſt of the ſettlements which had been begun were deſerted and a new war was every day expected.

The trade of the province declined. There was a general cry for want of money, and yet the bills of credit, which were the only money, were daily depreciating. The depreciation was grievous to all creditors, but particularly diſtreſſing to the clergy and other ſalary men, to widows and orphans whoſe eſtates conſiſted of money at intereſt, perhaps juſt enough to ſupport them and, being reduced to one half the former value, they found themſelves on a ſudden in a ſtate of poverty and want. Executors and adminiſtrators, and all who were poſſeſſed of the effects of others in truſt, had a ſtrong temptation to retain them. The influence a bad cur-

1720. rency has upon the morals of the people is greater than is generally imagined. Numbers of ſchemes, for private and public emiſſions of bills, were propoſed as remedies, the only effectual one, the utter abolition of the bills, was omitted.

By theſe calamities, the minds of the people were prepared for impreſſions from pamphlets, courants, and other news papers, which were frequently publiſhed, in order to convince them, that their civil liberties and privileges were ſtruck at and that a general union was neceſſary. Theſe did not paſs without anſwers, attributing all the diſtreſs in public affairs to the wrath and reſentment, the arts and ſiniſter views of a few particular perſons, but the voice of the people in general was againſt the governor. In our mother country, when diſputes ariſe between the branches of the legiſlature upon their reſpective rights, parties are formed and the body of the people are divided; for in a well conſtituted government it is of importance to the people that the ſhare even of the popular part of the conſtitution ſhould not be unduly raiſed to the ſuppreſſion of the monarchical or ariſtocratical parts. From a regard to the common intereſt, therefore, in a diſpute concerning prerogative and privilege, the people, ordinarily, are divided in ſentiment. The reaſon is obvious why it is leſs frequently ſo in a colony. There, the people, in general, conſider the prerogative as an intereſt, without them, ſeperate and diſtinct from the interior intereſt of the colony: This takes their attention from the juſt proportion of weight due to each branch in the conſtitution and cauſes a bias in favour of the popular part. For the ſame reaſon, men fond of popular applauſe are more ſure of ſucceſs, with leſs degree of art, in a colony, than in a ſtate not ſo connected and, conſequently, men who with unbiaſſed judgments diſcern and have virtue enough to purſue the real intereſt of their country, are more likely to be reproached and viliſied.

THE

THE firſt act of the houſe of repreſentatives was the choice of Mr. Cooke for their ſpeaker. A committee was ſent to the governor, at his houſe, to acquaint him with the choice. They reported, at their return, that his excellency ſaid, 'it was very well.' In the afternoon, the governor, being in council, ſent the ſecretary to acquaint the houſe, that he was now in the chair and ready to receive their meſſage, reſpecting the choice of a ſpeaker. They ſent back an anſwer that his excellency, upon being informed of the choice in the morning, had ſaid 'it was very well' and they had recorded his anſwer in the books of the houſe. The governor replied, that he would receive no meſſage from the houſe but when he was in the chair.* The houſe then propoſed, by meſſage, to the council, to join with them in the buſineſs of the day, the choice of councellors; but upon the governor's telling their committee, who carried up the meſſage, that no election ſhould be made until he was acquainted who was choſen ſpeaker, the houſe ſent a new committee to acquaint him with the choice they had made. The governor replied to this committee, that Mr. Cooke had treated him ill as the king's governor and therefore, according to the power given him by the royal charter, he negatived the choice and deſired they would proceed to chuſe another perſon. They ſent back their anſwer, that they had choſen a ſpeaker, according to their known and legal privileges, and therefore inſiſted upon the choice, and at the ſame time they renewed their motion to the council to join with them in the election. The governor told the committee, that he had received a meſſage from the houſe, acquainting him with the choice they had made of a ſpeaker, which choice had been negatived and he was no ſpeaker. Upon this, the houſe ſent their committee to the board to acquaint them, that two meſſages having 1720.

* The journal of the houſe adds "and that he had received no ſuch meſſage from the houſe and given no ſuch anſwer," but the general court's records take no notice of this.

1720. having been ſent to propoſe to the board to join in the choice of councellors and no anſwer having been given, they now deſired to know whether the board would join in the election or not,

IF there had been any further delay on the part of the board, it is very probable, the houſe would have proceeded without them, which muſt have increaſed the perplexity. The governor, therefore, left the board, having firſt charged the ſecretary with the following meſſage to the houſe, "His excellency orders me to acquaint you, he is informed that governor Dudley did, in the time of his government, diſallow of a ſpeaker choſen by the houſe, and that his proceedings therein were approved by the commiſſioners of trade and plantations and that he was thereupon directed by the ſaid commiſſioners to acquaint the council, that it would not be thought fit that her majeſty's right of having a negative upon the choice of a ſpeaker be given up, which was reſerved to her majeſty, as well by the charter, as by the conſtitution of England."

NOTWITHSTANDING the warm diſputes, in the preceding year, between the two houſes, only one new councellor was choſen, John Burrill, Eſq;* of Lynn, who had been many years ſpeaker of the houſe, but this year was ſent to the board, in the room of Mr. Higginſon. The houſe had been as fond of this Mr. Burrill as of their eyes. His temperate ſpirit, until now, had engaged the

* This Mr. Burrill bore a very fair character. I have often heard his contemporaries applaud him for his great integrity, his acquaintance with parliamentary forms, the dignity and authority with which he filled the chair, the order and decorum he maintained in the debates of the houſe, his ſelf denial in remaining in the houſe, from year to year, when he might have been choſen into the council and ſaw others, who called him their father, ſent there before him; to ſay a great deal of him in one word, there was as much likeneſs in his character to that of the right honorable perſon who ſo many years filled the chair in the houſe of commons, with ſuch applauſe, as well can be between ſmall and great. Mr. Burrill died of the ſmall pox at Lynn, December 10th 1721.

the whole houſe in his favor and, from year to year, procured him a general vote, but this year the houſe were willing to part with him for a gentleman obnoxious to the governor, which meaſure, it was eaſy to foreſee, muſt give a further occaſion of controverſy. 1770.

Two of the new elected councellors were negatived, Nathanael Byfield, who had been ſolliciting in England for the government when Col. Shute was appointed, and John Clark, who was a perſon of many valuable qualities, and obnoxious, only, for being ſtrongly attached to Mr. Cooke and having been a great ſupporter of the cauſe.

AFTER the election, the governor made a further attempt to bring the houſe to a compliance by the following ſpeech. "Gentlemen. At the opening of this ſeſſion you thought fit to make choice of Eliſha Cooke, Eſq; for your ſpeaker, and upon your reporting of it to me, I did declare my diſacceptance of that election, and am firm in my opinion that I had good right ſo to do, by virtue of his majeſty's commiſſion and the powers reſerved by the royal charter, and am alſo confirmed in it, by what I find tranſacted by the late governor Dudley, during his adminiſtration, and alſo by the opinion of the right honorable the lords of trade and plantations in that matter. I muſt further obſerve to you, that the perſon you have choſen had invaded the king my maſter's rights in the woods of the province of Main, though confirmed to his majeſty by an act of the Britiſh parliament, and I have received the thanks of the right honorable the lords of trade and plantations for removing him out of the council. He has ill treated me, who am the king's governor, and has been cenſured by the council for it which ſtands upon record in the council books.* How acceptable this matter will be, at home, conſidering the warning we have lately had from the court of Great-Britain upon the account of paſſing the impoſt bill, will be worthy of your ſerious reflection.

Theſe

* The council books from the charter were burnt in the court houſe in the year 1747 and this cenſure does not appear any where but in this ſpeech.

1720. Theſe things I thought neceſſary to acquaint you with and adviſe you to return to your houſe and chuſe ſome other perſon ſpeaker, with a reſervation of your own rights, until you ſhall ſend to the court of Great-Britain for the explanation of that part of your charter, relating to the affair of a ſpeaker."

THE houſe, immediately upon their return to their chamber, entered into a debate upon this ſpeech and the queſtion being put, whether, for the reaſons aſſigned by his excellency, the houſe will proceed to the choice of a new ſpeaker it paſſed in the negative, nemine contradicente.

THE governor gave them no opportunity to proceed on any other buſineſs, for the next day he ſent for them up again and after another ſhort ſpeech diſſolved the court. "Gentlemen. Out of a tender regard I have for the welfare of this province, I ſhall give you the following advice before we part; that when it ſhall pleaſe God we meet again in a general aſſembly, which ſhall be aſſoon as poſſible, you will not let this province ſuffer by the perverſe temper of a particular perſon, but that you will chuſe one for a ſpeaker that has no other view but that of the public good, one that fears God and honors the king. It is irkſome and diſagreeable to me, to diſſolve an aſſembly, but as matters now ſtand, I am forced to do it or muſt give up the king my maſter's prerogative, which nothing ſhall ever oblige me to do, who am the king's governor. Gentlemen, I do not think it for the honor of his majeſty's government that this aſſembly ſhould ſit any longer and therefore I ſhall diſſolve you."*

WRITS were iſſued for a new aſſembly, to meet the 13th of July. The governor had no great reaſon to hope for a more favorable houſe. The people, in general, thought their privileges were attacked. The charter

* Neither of theſe ſpeeches are printed in the journal of the houſe. The charges upon their ſpeaker ſeem to have been the reaſon.

charter indeed was ſilent upon this point. In a diſpute, 1720.
between the crown and the houſe of commons in the reign of king Charles the 2d an expedient was found which ſeemed to avoid the acknowledgment of the right of the crown to refuſe a ſpeaker, but a provincial law was principally relied upon which declares "that the repreſentatives aſſembled in any great and general court ſhall be the ſole judges of the elections and qualifications of their own members and may from time to time ſettle, order and purge their own houſe and make ſuch neceſſary orders for the due regulation thereof as they ſhall ſee occaſion." Whether the legiſlators had in contemplation the right of the houſe to chuſe a ſpeaker, exempt from the governor's negative, might well be queſtioned, but it was urged that the due regulation of the houſe might very well include this right.

THE towns, in general, ſent the former members. Boſton diſcovered how they ſtood affected by leaving out Mr. Tay who was one of thoſe perſons who ſerve upon a pinch, when a favorite cannot be carried by a party, to ſtop the gap and prevent an oppoſite candidate, and he came in ſeveral times upon ſuch occaſions. In his room, the town now choſe Mr. Clark, the negatived councellor.

THE houſe was willing to ſit and do buſineſs, which the choice of the former ſpeaker would have prevented. They therefore pitched upon a perſon leſs attached to party, Timothy Lindall, one of the repreſentatives of Salem, to whom no exception was taken. The governor, in his ſpeech, recommended a peaceable ſeſſion, but the houſe could not forget the late diſſolution. They began with a warm meſſage or remonſtrance to the governor, in which they tell him, "the laſt aſſembly took no great pleaſure in being diſſolved, before they had gone through the uſual neceſſary buſineſs; their aſſerting and maintaining their juſt right and ancient privilege of chuſing their ſpeaker, and not owning his excellency's power to negative him, was nothing but what they were ſtrictly

obliged

1720. obliged to, and the new houſe are humbly of opinion, that whoever was of advice to his excellency, in the matter, did not conſult his majeſty's intereſt, nor the public weal and quiet of the government, but officiouſly endeavoured to beget unhappy miſunderſtandings between his excellency and the houſe and break off that deſirable harmony which every one ought to keep up; we earneſtly hope and deſire the province may never have an aſſembly, that will willingly forego ſuch a valuable privilege as K. William and Q. Mary of ever bleſſed memory graciouſly favoured the province with, when they gave their royal aſſent to a law directing and governing that affair."†

ALL the ſubſequent proceedings of this ſhort ſeſſion ſhew how much the houſe was out of temper. An Indian war uſed to be univerſally dreaded. To prevent it, the governor and council had been treating with, three of the Penobſcot tribe, who were ſent for or came to Boſton, and the houſe were deſired to make a grant for a preſent to them, but by a vote they refuſed to do it. Some time after, they ordered a ſmall ſum, ten pounds only. To the controverſy with the governor and the oppoſition made to the propoſals which came from him, the war, which ſoon after broke out, was, by the governor's friends, attributed.

THERE had been no public notaries in the province, except ſuch as derived their authority from the archbiſhop of Canterbury. The houſe, now, firſt obſerved, that a notary public was a civil officer, which by the charter,

† In this controverſy the houſe ſeem to have miſapprehended their own cauſe and to have laid moſt ſtreſs upon the weakeſt argument. The analogy between the governor and a provincial houſe of repreſentatives, and the king and the commons of Great-Britain, they leave out of the queſtion. By charter, or commiſſions, the form of government is ſettled, the governor repreſenting the king's perſon, the lower houſe repreſenting the people. I ſee no arrogance, whatever diſproportion there may be between Britain and her colonies, in ſuppoſing an analogy between the conſtitutions, except where peculiar rights or powers are otherwiſe ſettled in the reſpective branches.

charter, was to be choſen by the general court, and ſent 1720.
a meſſage deſiring the council to join with the houſe in the choice of ſuch an officer in each port of the province. To all inſtruments which were ſent abroad, not only the atteſtation of the notary himſelf would be neceſſary, but a certificate under the province ſeal, to ſhew the authority to atteſt; the council therefore took time to conſider of the expediency of appointing ſuch an officer, and referred the matter to the next ſeſſion,* but the houſe immediately proceeded and choſe the officers by their own votes. The arguments, to prove that an officer to be choſen by the whole court could derive an authority from the majority of the members of the houſe of repreſentatives have not been preſerved. †

BEING offended with the council, the houſe ſent a meſſage deſiring "that conſidering the low circumſtances of the province no draught be made upon the treaſury for expences at times of public rejoicing‡ for the future."

IT had been uſual to make a grant to the governor, for the ſalary of half the year, at the beginning of the ſeſſion. The houſe deferred it until the cloſe, and then reduced it from ſix to five hundred pounds, although the currency was depreciated. To the lieutenant governor, they uſed to make a preſent, once a year, never leſs than fifty pounds, they now reduced it to thirty five. Mr. Dummer had ſo much ſpirit, that he incloſed the vote in a letter to the ſpeaker acquainting him that "having the honor to bear the king's commiſſion for lieutenant governor of the province, and having been annually more than fifty pounds out of pocket, in that ſervice, he did not think it for his honor to accept of their grant."

THE

* As a public notary in the ſeveral ports was judged to be a neceſſary officer, the council afterwards concurred with the houſe, and a choice has been ever ſince annually made by the general court.

† They ſent a meſſage the next day to the governor, to deſire him to approve of the choice, but he gave them for anſwer that as the council did not join he did not ſee how they could be ſworn.

‡ The king's birth day, acceſſion, coronation, &c.

1720. THE governor took no public notice of the proceedings of the houſe. On the 23d of July he put an end to the ſeſſion.

DURING the receſs of the court (Auguſt 7th) a party of the eaſtern Indians fell upon Canſo, within the province of Nova Scotia, but peopled every ſummer from the Maſſachuſets. The Indians ſurprized the Engliſh in their beds and ſtripped them of every thing, telling them they came to carry away what they could find upon their own land. Three or four of the Engliſh were killed. Some of the French of Cape Breton were in confederacy and came with their veſſels, the next night, and carried off the plunder, together with about 2000 quintals of fiſh. The Engliſh veſſels in the harbour were not attempted. A ſloop happening to arrive the next day, the maſter offered his ſervice to go out and make repriſals, and being furniſhed with a number of men and two or three ſmaller veſſels for his conſorts, for want of more ample authority, he took a commiſſion from one Thomas Richards, a Canſo juſtice, and went after the French and ſoon brought in ſix or ſeven ſmall fiſhing veſſels, having all of them more or leſs of the Engliſh property aboard.

MR. HENSHAW, of Boſton, a principal merchant at Canſo, went to Louiſbourg with a complaint to the French governor, who excuſed himſelf from intermeddling, the Indians not being French ſubjects, nor under his controul. The French priſoners were ſent to Annapolis-royal. The loſs, ſuſtained by the Engliſh, was eſtimated at twenty thouſand pounds currency.

THE fears of the people, in the eaſtern parts of the Maſſachuſets, were increaſed by this ſtroke upon Canſo. In a ſhort time after, the cattle were deſtroyed and the lives of the owners threatned. The governor was ſtill deſirous of preſerving peace and, by the advice of council, ſent orders to Col. Walton, the commanding officer of ſuch forces, as upon the alarm had been ſent there, to inform the Indians, that commiſſioners ſhould be ſent to treat

treat with them. The Indians liked the propoſal and promiſed to attend the treaty. 1720.

BEFORE the time appointed, the general court met* and the houſe paſſed a reſolve, "that 150 effective men, under ſuitable officers, be forthwith ordered to march up to Norridgewock and compel the Indians that ſhall be found there, or in other thoſe parts, to make full ſatisfaction for the damage they have done the Engliſh, by killing their ſwine and ſheep or carrying them away, or ſtealing proviſions, cloathing, or any other way wronging them. And that a warrant be directed to Capt. John Leighton, high ſheriff of the county of York, who is to accompany the forces, for the apprehending and ſafe bringing Mr. Rallé to Boſton, who is at preſent reſident at or near Norrigewock in Kennebeck river in this province; and, if he be not to be found, that then the ſheriff direct and command the Indians there, or in the parts adjacent, to bring in and ſurrender up the jeſuit to him the ſheriff; and, upon their refuſal to comply with either of the ſaid demands, that the commanding officer is to take the beſt and moſt effectual way to apprehend and ſecure the Indians, ſo refuſing, and ſafe conduct them to Boſton."

THE governor looked upon this reſolve to be, in effect, a declaration of war and an invaſion of the prerogative; it neceſſarily prevented a treaty he had agreed to hold with the Indians, and a new war muſt be the conſequence of ſuch a meaſure. The council were fond of peace and, when the reſolve was ſent to them for concurrence, they rejected it. The houſe were leſs averſe to war. The charge of carrying it on, it was ſaid, would be no burden to the province, the French, now, durſt not join the Indians and this would be the moſt favorable opportunity which could be expected to ſubdue or utterly extirpate them. That the charge ſhould be no burden ſeems to be a paradox, but a wild opinion had filled the minds of great part of the people of the province, that if bills of credit could be iſſued, the advantage to trade would be ſo great, that the taxes

* Nov. 2d.

1720. by which, at diſtant periods, they were to be drawn in again would not be felt. Many ſchemes of public expence were projected, and, among the reſt, a bridge over Charles river broader and much deeper than the Thames at London or Weſtminſter.

I ſhall take no pleaſure in relating the proceedings of the general court, in this and the two next years. The beſt excuſe I can make for the houſe is, that the attempt made to deprive them of the excluſive right of chooſing their own ſpeaker was deemed by them a grievance, that the royal governments inſiſt upon this right and there was nothing in Maſſachuſets charter which took it from them, that this attempt raiſed in their minds a jealouſy of a deſign againſt their privileges in general and, in this ſtate of mind, they were more eaſily prevailed upon by their principal directors, whoſe principal views were to diſtreſs the governor, to agree to ſuch meaſures as under other circumſtances they muſt have diſapproved. The rule, perhaps, holds ſtronger with political bodies than with individuals, that when juſt bounds are once exceeded, the ſecond ſtep is as eaſy as the firſt, and ſo on, until at length they are drawn by degrees to ſuch exceſſes as, *per ſaltum*, they would have been incapable of.

THE public records of the general court are always open to the inſpection of any of the members, but, that the houſe might have them under their more immediate view and charge, they paſſed a vote, that the ſecretary ſhould make duplicates of all public records, and that one ſet ſhould be lodged in ſuch place as the houſe ſhould appoint. The council, willing to have duplicates for greater ſecurity, concurred with an amendment, viz. in ſuch place as the general aſſembly ſhould direct, but this amendment the houſe rejected.

THE houſe, finding the council a bar to their attempts, reſolved, in one inſtance, to act by themſelves. There was a complaint or ſuggeſtion, that falſe muſters were made by ſome of the officers in the pay of the province. The houſe taking the affair into conſideration

tion reſolved, "that one or more meet perſons be ap- 1720.
pointed by this houſe clerk of the check, who ſhall, from time to time, have an inſpection into the forts, garriſons and forces, and take care that every one have their compliment of men, and the better to enable them to execute the truſt repoſed in them, that when and ſo often as they ſhall ſee reaſon, the commanders of the forts, garriſons and captains of any of the companies, in the pay of this government, ſhall call forth their men before them, and, if any do not appear, the commanding officer to give the reaſon of ſuch abſent men, and that no muſter roll ſhall be accepted, and paid by the treaſurer, unleſs approved of by the clerk of the check." The governor did not intend to admit this officer, appointed by the houſe, into the forts, garriſons, &c. which by the charter the crown had reſerved to the governor, but he kept ſilent.

To another act of the houſe the council took exception. A meſſage was ſent by the houſe to the council to let them know they had appointed a committee to prepare a bill for levying ſoldiers, "taking it to be their peculiar care." Leſt it ſhould be underſtood that this was to exclude the council from concurring or non-concurring ſuch bill, or from adviſing to the levying ſoldiers upon an emergency in the receſs of the court, the council deſired the houſe to withdraw thoſe words, "taking it to be their peculiar care," which they agreed to.

At this ſeſſion, the houſe, again, withheld one hundred pounds from the governor's uſual half year's ſalary. He had paſſed it over without notice before, but now he thought it proper to lay before them a royal inſtruction to recommend to the aſſembly to eſtabliſh a ſufficient allowance for him by a fixed ſalary. They ſent him a reply, "that they humbly conceived what was granted him was an honorable allowance, and the affair of ſettling ſalaries being a matter of great weight and wholly new to the houſe and many of the members abſent, they did not think it proper to enter upon the

1720. conſideration of it, but deſired the court might riſe." The governor complied with their requeſt.*

AT

* The Maſſachuſets province afforded ſubject for ſome part of the madneſs of the people of England in this remarkable year. Waſte lands have an imaginary value ſet upon them, ſometimes higher, ſometimes lower, and continually afford ſubject for bubbles among ourſelves. Mr. Dummer raiſed a bubble from the eaſtern lands, but had not time for any very great ſucceſs.

" It remains now that I give an account to the general court of a very conſiderable undertaking which I ſet on foot and have been carrying on for ſeveral months paſt in hopes to procure thereby many great advantages to the province. I have projected a ſcheme to raiſe hemp and flax in the eaſtern frontiers of the province of Main for the ſupply of this kingdom. In order to accompliſh this deſign, I propoſed that the lands between St. Croix and Penobſcot ſhould be granted to the undertakers and their aſſigns by the crown, and that they ſhould alſo have a charter of incorporation, with all reaſonable privileges and advantages allowed them.

" I ſet my ſelf heartily to work and, that I might lay a good foundation, I choſe 17 managers for the carrying it on, who are all perſons of great diſtinction and attend diligently upon the buſineſs at every meeting. My Lord Barrington is one, and Col. Bladen of the board of trade is another, and Alderman Bailis a commiſſioner of the cuſtoms is a third. The reſt are either men of note and figure in parliament, as Mr. Young firſt commiſſioner for ſtating the accounts of the army, or eminent citizens, as Sir Juſtus Beck, who is one of the greateſt merchants in the kingdom. Being thus ſtrong, I had no reaſon to take notice of Coram and friends or to have any apprehenſions of what they were doing or capable of doing againſt me, yet, for quietneſs ſake, I ſent them word that, if they would withdraw their petition and give me no more trouble, they ſhould find an account of profit from this undertaking beyond what they could ever expect if it were to be under their own conduct. Coram immediately ſubmitted to my petition, but when he afterwards was told that I had left out of my petition the tract of land between Kenebeck and Penobſcot, he ran about in a mad rage declaring he would rather ſtarve than come into it, and that the whole deſign was only a trick in me to ſave that fine country for the villainous people of New-England —I have therefore ſince treated and agreed with his partners and patrons by whoſe intereſt he was ſupported, ſo that Coram is now intirely dropped and I have no oppoſition.

" Nevertheleſs, it is the opinion of the managers to reſt a little till the miniſtry has quelled the great number of companies that are

AT the opening the next ſeſſion (March 15th) the governor in his ſpeech recommended meaſures to prevent the depreciation of the currency, to ſuppreſs a trade carried on with the French at Cape Breton and to puniſh the authors of factious and ſeditious papers, to provide a preſent for the five nations and to enlarge his ſalary. 1725.

THEY refuſed, directly or virtually, every propoſal. To the firſt the houſe tell him, in their anſwer, "they had paſſed a bill for iſſuing one hundred thouſand pounds more in bills of credit."† This, alone, had a direct tendency

are erected every day in defiance of the late act of parliament, and are ſo offenſive to the government that the beſt ſcheme in the world would ſuffer ſome diſgrace by appearing at this time. I have only to add, that I have reſerved twenty thouſand pounds of the ſubſcription for the uſe and benefit of the province, which, when the time comes, I will put in the name of proper truſtees for that end." *Dummer's letter Sept.* 17. 1720.

The time never came for appointing truſtees for the province. The great bubble was breaking, which no doubt inclined the managers of this ſmall one to ſtop a little. The capital was to be one hundred thouſand pounds ſterling. Query, Whether there are no bubbles riſing in England, from the waſte lands of America, at this day?

† Fifty thouſand pounds had been iſſued the laſt year, 1720, and diſtributed to the ſeveral towns in proportion to their taxes, the bills to be repaid at a limited time, and the governor ſeemed to approve of and encourage this way of iſſuing bills at his firſt arrival, but was afterwards convinced of their miſchievous effects. Having about this time received an inſtruction laying him under a reſtraint in iſſuing bills of credit except for neceſſary charges, unleſs by ſuch acts or orders as ſhould not have effect until his majeſty's pleaſure was known, he choſe to found his objection to the bill upon his inſtruction.

This inſtruction was not occaſioned by the bad effect of bills upon the currency as later inſtructions and acts of parliament have been, but by a complaint from merchants trading to New-York of an act of aſſembly there for iſſuing bills equal to forty thouſand ounces of plate which were all applied, to the governor as a gratuity over and above his ſtated ſalary, to the council for pretended ſervices at the revolution near 30 years before, and to the houſe of repreſentatives for their ſervices. After the bills were in private hands, to revoke the act would work injuſtice, but to prevent ſuch acts in any colony for the future, circular inſtructions were ordered to the ſeveral governors.

1721. dency to increaſe the miſchief, but they add that "to prevent their depreciation they had prohibited the buying, ſelling and bartering ſilver, at any higher rates than ſet by act of parliament." This certainly could have no tendency to leſſen it. Such an act can no more be executed than an act to ſtop the ebbing and flowing of the ſea. It would probably carry away and keep out all ſilver and gold. The depreciation of their currency, would, notwithſtanding, have been as viſible by the riſe of exchange with foreign countries and have been as ſenſibly felt by every creditor among themſelves. To his other propoſals they ſay, "they know of no trade carried on by any people of the province with Cape Breton and do not think any law to prevent a trade there is neceſſary; and for ſeditious and ſcandalous papers, the beſt way to ſuppreſs or prevent them is, for the executive part of the government to bring the authors to condign puniſhment, and if proper meaſures had been taken to diſcover and puniſh the authors of a libel called News from Robinſon Cruſoe's iſland, wherein the members of the houſe are groſly reflected upon, few or none would have dared, afterwards, to publiſh any thing of that nature or tendency, but to ſuffer no books to be printed without licence from the governor will be attended with innumerable inconveniencies and danger;* as to the five nations, the houſe do not know enough of their number, nor what the other governments intend to give, and, therefore, cannot judge what is proper for them to do; and for the allowance to the governor, they think it as much as the honor and ſervice of the government calls for, and believe the inhabitants of the ſeveral towns through the province are of the ſame mind."

THERE never had been an inſtance of any governor's refuſing or neglecting, at the beginning of the year, to appoint a faſt, in conformity to the practice of the country, but the houſe now endeavoured to anticipate the governor

* This was a juſt return to the governor's declaration, that the king had given him the power of the preſs.

governor and appointed a committee to join with a committee of council to prepare a proclamation for a public faſt. The council refuſed to join and acquainted the houſe they could find no precedent, but the houſe replied that, if ſuch days had not the ſanction of the whole court, people would not be liable to puniſhment for working or playing. The governor, willing to conform to the houſe ſo far as would conſiſt with maintaining his right of iſſuing proclamations, mentioned in the proclamation which he ſoon after publiſhed, that the appointment was, by advice of council *and upon a motion from the houſe of repreſentatives*, but the houſe refuſed to meet him and declared they had never made any ſuch motion, and ordered that no members of the houſe ſhould carry any proclamations to their towns, for the preſent. The day was, however, obſerved as uſual, except that one † of the repreſentatives of Boſton would not attend the public worſhip but opened his warehouſe as upon other days. 1721.

CERTAIN perſons had cut pine trees, upon that part of the province of Main which had not been granted by the general court as private property. A deputy to the ſurveyor of the woods gave licence to cut the trees, as belonging to the king. The houſe appointed a committee to join with a committee of council, which joint committee were to ſeize and ſecure, for the province, the ſame logs which had been cut by licence. The council concurred with a "ſaving to his majeſty all ſuch rights as are reſerved by the royal charter and acts of parliament to trees for the royal navy."

THE houſe deſired this ſaving might be withdrawn, not that they apprehended the reſervation made in the charter or the proviſion by act of parliament were of no force, but they alledged that the trees they deſigned to ſeize were cut by one deputed by the deputy of the ſurveyor of the woods, and cut, not for the royal navy, but for other uſes, and therefore they did not come within reaſon of the reſervation or proviſion.

† Mr. William Clark.

1721. FINALLY, upon the council's refuſing to join, the houſe appointed a committee of their own to ſeize the logs, and directed the attorney general to proſecute thoſe who had treſpaſſed and made ſpoil upon the province lands. After they were ſeized, the houſe again deſired the council to concur a vote or order for ſecuring and converting the logs to the benefit of the province. This, without any judicial determination, was ſtill more irregular and the council declined meddling with them.

As the time approached for iſſuing writs for a new aſſembly, the governor made the following ſpeech to them, before their diſſolution.

"GENTLEMEN of the houſe of repreſentatives. In my ſpeech at the beginning of this ſeſſion, I gave you the reaſons of my meeting you at this time. I have ſince received your anſwer, which I ſhall take care to tranſmit, by the firſt conveyance, that his majeſty may ſee, not only how his governor of this province is treated and ſupported, but what ſort of regard is paid to his own royal inſtructions. I ſhall alſo lay before the right honorable the lords commiſſioners of trade and plantations, the bill for prohibiting a trade to Cape Breton, which I recommended to you ſeveral ſeſſions and which had twice the concurrence of his majeſty's council, but was as often thrown out in your houſe, notwithſtanding the meſſage that accompanied that bill.

"I am very much ſurprized you ſhould refuſe two other bills, which came down from the council, the one to prevent riots, the other to prohibit the making and publiſhing libels and ſcandalous pamphlets, the paſſing of which would, in my opinion, have tended both to the honour of the government and the public peace.

"BUT what gives me the greateſt concern is, that the proceedings of your houſe, with reſpect to the woods in the province of Main, are directly contrary to the reſervation of his majeſty's right in the royal charter and an act of parliament, which were both ſet forth in my

my proclamation, dated the 1ſt of November 1720, for preventing the deſtruction and ſpoil of his majeſty's woods. 1721.

"I could heartily wiſh, that inſtead of obliging me to make ſuch repreſentations to the lords of trade, as I fear will not be to your advantage, you had acted with that calmneſs and moderation, which becomes the ſubjects of a prince, who poſſeſſes thoſe qualities in an eminent degree, and, which becomes the repreſentatives of a province, that, without any encroachment on the royal prerogative, enjoys as many and as high privileges, as the greateſt advocates for liberty can deſire or expect.

"I muſt therefore recommend to you a loyal and peaceable behaviour and to lay aſide thoſe miſunderſtandings and animoſities that of late prevail ſo much among you, which you will find to be your trueſt and beſt intereſt."

DOCTOR Noyes, one of the repreſentatives of Boſton, died whilſt the court was ſitting (March 16th) after a ſhort illneſs. He was very ſtrongly attached to the popular party, and highly eſteemed by them, was of a very humane obliging diſpoſition and, in private life, no man was more free from indelicacies. Mr. William Hutchinſon who ſucceeded him was alſo a gentleman of a very fair character, ſenſible, virtuous, diſcreet, and of an independent fortune. He began his political life at a time when perſons, thus qualified, were wanted for the ſervice of their country, to moderate the paſſions of thoſe who were leſs temperate and who had the lead in the houſe. In general, he adhered to the popular party alſo, but lived but a little while. Longer experience might probably have convinced him, that he would have ſhewn his gratitude to his conſtituents more, by endeavoring to convince them that they were running to an extreme, than by encouraging the ſame extremities himſelf.

THE ſeſſion of the general court, in May, this year, began as unfavorable as any former ſeſſion. The houſe choſe for their ſpeaker John Clarke, Eſq; who

the

1721. the year before had been negatived by the governor as a councellor. To prevent a negative, as ſpeaker, they projected a new form of meſſage directed to the governor and council jointly, to acquaint them "that John Clarke, Eſq; is choſen ſpeaker of the houſe and is now ſitting in the chair." This was undoubtedly a very extraordinary contempt of the governor. Mr. John White,* a gentleman of unſpotted character, had been clerk of the houſe for many years. He was no zealous party man, but his moſt intimate friends, who eſteemed him and ſought his company for the ſake of his valuable accompliſhments, were ſtrongly attached to the governor. This, alone, was enough to diſmiſs him and Mr. William Payne, brother by marriage to Mr. Cooke, and who had formerly been of the bank party, was appointed clerk in his ſtead.

THE governor was more wroth than upon any occaſion before. He came to council, in the afternoon, and ſent immediately for the houſe, no doubt, with an intent to diſſolve the court. He had ſeveral faithful adviſers about him and, whilſt the houſe were preparing to come up, he ſent a meſſage to ſtop them and to let them know he accepted their choice of a ſpeaker. This was giving a conſtruction to their meſſage, which they did not intend, and it was giving his conſent before it was aſked, but it was to be preferred to a diſſolution; for a diſſolution of the court, before the election of councellors, according to the conſtruction the houſe have ſometimes put upon the charter, would have been a diſſolution of the government, for one year at leaſt, becauſe the time mentioned for the firſt election was the laſt Wedneſday in May. The councellors named in the charter were to continue until others were choſen and appointed in their ſtead. I do not know of any words in the charter which would make the choice upon another day invalid, although that be the day more particularly deſigned for that buſineſs

* He died before the year was out (Dec. 10.) of the ſmall-po by inoculation.

buſineſs. The houſe ſhewed their reſentment againſt 1721.
the lieutenant governor and Mr. Belcher, who were both left out of the council. The reſt were continued.

THE next ſtep was the appointing a committee to carry a liſt of the new elected councellors to the governor; but the committee was not to deſire his approbation, though this form had never been omitted in any one inſtance. The governor ſent the liſt back and took notice of the omiſſion. The houſe thereupon reſolved, "that conſidering the ſmall-pox was in Boſton and they were very deſirous the court ſhould be removed to Cambridge they would ſend the liſt in the uſual terms, ſaving their right to aſſert their privileges at a more convenient time." What privileges they had in their minds it is difficult now to diſcover. Surely they could not imagine the election would have been valid without his conſent. The governor negatived Col. Byfield, the reſt he conſented to. †

THE court was adjourned to Cambridge. The governor, in his ſpeech, took no notice of paſt differences. All was fair and ſmooth, and all was fair in the houſe alſo, the firſt fortnight, but, on the 19th of June, the governor's ſpeech at the diſſolution of the laſt aſſembly was ordered to be read and a committee was appointed "to vindicate the proceedings of the houſe from the inſinuations made by the governor of their want of duty and loyalty to his majeſty." This committee made a report, not in the form of an addreſs or meſſage to the governor, but of a narrative and juſtification of the proceedings of the laſt aſſembly and the houſe accepted it and ordered it to be printed.

To vindicate the paſt proceedings about the pine trees, a full conſideration was now had of the ſeveral acts

† An odd affair happened in the houſe, this ſitting of the court. One of the members ſat down in prayer time. The ſpeaker, after prayers, aſked him the reaſon of it. He ſaid he could not join with them in calling God "*our* father." The houſe immediately reſolved "that Philip Tabor be expelled this houſe as not worthy to continue a member thereof."

1720. acts of parliament and the reſervation to the crown in the province charter. The houſe did not deny a right in the crown to the trees, whilſt they were ſtanding and fit for maſts, but ſuppoſed that, aſſoon as they were felled and cut into lengths fit for boards or timber only, the right of the crown ceaſed and the owners of the ſoil recovered or acquired a new property in them. This, it was ſaid, would render the proviſion made for the preſervation of the trees, which at beſt is inſufficient, to be of no effect, nothing being more eaſy than for the owners of the ſoil to procure the trees to be felled and cut into ſhort logs, without poſſibility of diſcovery. However, they came to the following reſolution, viz. "That inaſmuch as a great number of pine trees have been cut in the province of Main which, when ſtanding, were fit for maſts for the royal navy, but are now cut into logs of about 20 feet in length, and 'although the cutting them ſhould be allowed to be an infringement of his majeſty's rights reſerved in the charter,' yet in the condition they are now in, being no longer capable of being uſed for maſts, it is lawful for and behoves this government to cauſe ſuch logs to be ſeized and converted to their own uſe and to bring the perſons who cut down the trees to puniſhment." In conſequence, and for the purpoſes, of this reſolve a committee was appointed.

THE reſervation in the charter is in theſe words "for the better providing and furniſhing of maſts for our royal navy we do hereby reſerve to us, our heirs and ſucceſſors all trees of the diameter of 24 inches, and upwards of 12 inches from the ground, growing upon any ſoil or tract of land not heretofore granted to private perſons. And we reſtrain and forbid all perſons whatſoever from felling, cutting or deſtroying any ſuch trees without the royal licence of us, our heirs and ſucceſſors firſt had and obtained, upon penalty of forfeiting one hundred pounds ſterling unto us, our heirs and ſucceſſors for every ſuch tree."

It was ſaid further upon this occaſion that although 1721.
the crown reſerved the trees and reſtrained all perſons from cutting them, which the neceſſity of the trees for national uſe and ſervice might be ſufficient to juſtify, yet it was not equitable to take them without a valuable conſideration. The crown had made an abſolute grant of the province of Main to Gorges, from whom the Maſſachuſets purchaſed. The Maſſachuſets charter indeed was declared forfeited. Where the right was, after that, might be diſputed, but this was a hard judgment, and it was the plain intent of the charter, in general, to reſtore rights, except that of the form of juriſdiction or adminiſtration of government, to the former ſtate.

Be this as it may, it has however been thought, by ſome judicious perſons, that conſidering the extreme difficulty, at preſent, of convicting treſpaſſers of cutting the king's trees and, by ſuch conviction, putting a ſtop to the ſpoil and havock continually making, it would be good policy to allow the owners or proprietors of theſe lands a ſum for every tree, felled for a maſt, equal to what it would be worth when cut into logs for boards or timber. This would be ſcarce a tenth part of the value of the tree for a maſt, and yet would take away the temptation to cut it for logs, and would encourage the preſerving and cultivating the young trees, which are at preſent of leſſer dimenſions. Trees that are incapable of ever ſerving for maſts, either from decay or other defects, although of ſufficient diameter, might alſo be allowed to be cut for logs and it would be no prejudice to the crown. At preſent, the treſpaſſers make no diſtinction, and trees are continually cut worth twenty pounds ſterling, for a maſt, which, when cut into logs, are ſcarce worth twenty ſhillings. Very few trees are cut for maſts by treſpaſſers. The notoriety of halling, felling and ſhipping maſts will render it very difficult, when the burden of proof where the maſts were cut ſhall lie upon the perſon who claims the property, to eſcape diſcovery and conviction, whereas, among the multitude of logs which

are

1721. are continually let looſe to float down rivers to ſaw-mills, the greateſt part of the treſpaſſes will eſcape notice.

THERE are great numbers of white pines, growing in parts of the country ſo remote from the ſea or any river by which they can be floated to the ſea, that the expence of bringing them thither would be twenty times the value of a maſt in England. It ſeems unneceſſary to deprive the inhabitants of ſuch places from making uſe of the trees for timber and boards, when they muſt infallibly decay and die in the ground, if they are to ſerve for no other purpoſe but maſts.

But to return.

THE houſe neglected making any proviſion for the ſupport of the governor, or the other officers of the government who depend upon the court for their ſalaries. They waited to ſee how far the governor would conſent to their ſeveral acts and votes. On the other hand, the two houſes having choſe the treaſurer, impoſt officer, and other civil officers, the governor laid by the liſt, and neither approved nor diſapproved. When the houſe ſent a meſſage to the council, to enquire whether the governor had paſſed upon the liſt, he directed the committee to tell the houſe that he ſhould take his own time for it. This occaſioned a reply from the houſe, and divers meſſages and anſwers paſſed upon the ſubject. At length the houſe, by a vote, determined they would not go into the conſideration of grants and allowances before his excellency had paſſed upon the acts, reſolves and elections of that ſeſſion. This was in plain terms avowing what the governor at firſt charged them with tacitly intending. To have recurred to this inſtance would have laid the houſe under diſadvantage in the diſpute, ſome years after, about a fixed ſalary. To compel the governor to any particular meaſure, by making his ſupport, in whole or in part, depend upon it, is ſaid to be inconſiſtent with that freedom of judgment in each branch of the legiſlature, which is the glory of the

the Engliſh conſtitution. This was not all. The houſe withheld the ſupport of all the other ſalary men, becauſe the governor would not comply with the meaſures of the houſe. 1721.

RESENTMENT was ſhewn againſt ſome of the governor's friends. The agent in England, Mr. Dummer, in ſome of his letters, had informed the court of the ſentiments of the miniſtry upon the proceedings of the houſe of repreſentatives, and of the general approbation in England of the governor's conduct. A faithful agent would rather tell them the truth, than recommend himſelf to them by flattery and falſe repreſentations. He loſt the favor of the houſe, who, upon the receipt of theſe letters, voted, that it was not for the intereſt of the province Mr. Dummer ſhould be continued agent any longer, and therefore, it was ordered that he ſhould be diſmiſſed.* This vote they ſent to the council for concurrence who deſired the houſe to inform them of the grounds and reaſons of this diſmiſſion. The houſe voted the meſſage to be unprecedented, and inſiſted, that the council

* Mr. Dummer was publiſhing his defence of the charters when this vote paſſed for his diſmiſſion. "I think it now paſt all doubt that a bill will be brought into the houſe of commons at their next ſeſſion to disfranchiſe the charter governments and therefore I have printed a manuſcript which has lain by me ſome time in defence of our charters. I have dedicated it to my lord Carteret one of his majeſty's principal ſecretaries of ſtate and who has the plantations under his care, for which I had his Lordſhip's permiſſion. It will come out to morrow and I will put up a few of them under cover to you for the uſe of any members of the general court who may have a deſire to ſee what I have wrote on the ſubject.

"I expect no thanks from the aſſembly for this ſervice as I had none for the counterfeit bills ſent them over laſt ſpring, though I thought it an important ſervice.——It is a hard fate upon me when, I am doing the province and the gentlemen in it all the honor and juſtice that is in my power, that ſome perſons in the lower houſe ſhould take equal pains to leſſen and expoſe me. I wiſh they do not prejudice themſelves by it in the end. It matters very little what becomes of me." *Dummer's letter 11th Sept.* 1721.

1721. council had nothing elſe to do but to concur or non-concur, and then they non-concurred the vote; but this was much the ſame, with a diſmiſſion, at leaſt for a time, for an agent having no fixed ſalary depends upon temporary grants which the houſe refuſed to make, after this vote.

PAUL DUDLEY Eſq; another of the governor's friends had the misfortune alſo of falling under the diſpleaſure of the houſe. He had been choſen, by a ſmall majority, councellor for Sagadehoc. By the charter, it was neceſſary for him to have been an inhabitant or proprietor of that part of the province for which he was choſen. He dwelt in the old colony of Maſſachuſets. It was ſuggeſted, in the houſe, that he had no lands at Sagadehoc, and they appointed a committee to enquire into this fact. Upon their applying to Mr. Dudley for evidence of his title, he told them it was too late, they ſhould have enquired before the election. Perhaps he was in an error. He went on and told the committee, he had a deed which he would not expoſe to the houſe but he would ſhew it to two or three of the members. Upon this they ſent another committee to inform him it was expected he ſhould produce his deed, the next morning, to be laid upon the ſpeaker's table. He replied that he would not produce his deed before the houſe, for they might poſſibly vote it inſufficient. In this part of the province there are ſcarce any lands which have not more than one claimer, and it is not improbable ſome of the members of the houſe claimed the lands in Mr. Dudley's deed. The vote of the houſe would not have determined his title, but might have undue influence upon a jury in a judicial proceeding.

MR. Dudley's anſwer was unſatisfactory, and the houſe voted that it was an affront, that his declining to produce his deeds gave ſufficient grounds to believe that he was no proprietor and it was therefore reſolved that his election be declared null and void. This vote being ſent to the council was by them unanimouſly non-concurred.

No

No grants had been made and no officers for the 1721.
enſuing year had been conſtituted; the houſe, notwithſtanding, ſent a meſſage to the governor to deſire the court might riſe. He refuſed to gratify them. Thurſday the 13th of July had been appointed for a public faſt. The members deſired to be at home with their families and, on Wedneſday, by a vote, they adjourned themſelves to Tueſday in the next week. The Houſe of commons adjourn for as long time, without any immediate act of royal authority, but, I preſume, never contrary to a ſignification of the mind of the king; and the adjournments over holidays are as much eſtabliſhed, by ancient uſage, as the ordinary adjournments from day to day, and, being conformed to by both houſes of parliament, no inconvenience can ariſe. But the charter was urged, by the governor, to be the rule in this aſſembly, not the analogy between a Maſſachuſets houſe of repreſentatives and the commons of Great-Britain. The governor, by charter, has the ſole power of adjourning, proroguing and diſſolving the general court. Taken ſtrictly, it would be extremely inconvenient, for the act of the governor would be neceſſary every day. Upon a reaſonable conſtruction, therefore, the houſe had always adjourned from day to day, but never for ſo great a number of days. The council, who were obliged to ſpend near a week without buſineſs, unanimouſly voted, upon hearing the houſe had adjourned, that ſuch adjournment, without his excellency's knowledge and conſent, was irregular and not agreeable to the charter.

THE governor, afterwards, made this adjournment one of the principal articles of complaint againſt the houſe.

UPON Tueſday, like the firſt day of a ſeſſion, there was ſcarcely a houſe for buſineſs. The next morning ſome votes paſſed, which were offered to the governor, and which he would not ſuffer to be laid before him, until he had ſent for the houſe and told them they had made a breach upon his majeſty's prerogative, which he

1721. council had nothing elſe to do but to concur or non-concur, and then they non-concurred the vote; but this was much the ſame, with a diſmiſſion, at leaſt for a time, for an agent having no fixed ſalary depends upon temporary grants which the houſe refuſed to make, after this vote.

PAUL DUDLEY Eſq; another of the governor's friends had the misfortune alſo of falling under the diſpleaſure of the houſe. He had been choſen, by a ſmall majority, councellor for Sagadehoc. By the charter, it was neceſſary for him to have been an inhabitant or proprietor of that part of the province for which he was choſen. He dwelt in the old colony of Maſſachuſets. It was ſuggeſted, in the houſe, that he had no lands at Sagadehoc, and they appointed a committee to enquire into this fact. Upon their applying to Mr. Dudley for evidence of his title, he told them it was too late, they ſhould have enquired before the election. Perhaps he was in an error. He went on and told the committee, he had a deed which he would not expoſe to the houſe but he would ſhew it to two or three of the members. Upon this they ſent another committee to inform him it was expected he ſhould produce his deed, the next morning, to be laid upon the ſpeaker's table. He replied that he would not produce his deed before the houſe, for they might poſſibly vote it inſufficient. In this part of the province there are ſcarce any lands which have not more than one claimer, and it is not improbable ſome of the members of the houſe claimed the lands in Mr. Dudley's deed. The vote of the houſe would not have determined his title, but might have undue influence upon a jury in a judicial proceeding.

MR. Dudley's anſwer was unſatisfactory, and the houſe voted that it was an affront, that his declining to produce his deeds gave ſufficient grounds to believe that he was no proprietor and it was therefore reſolved that his election be declared null and void. This vote being ſent to the council was by them unanimouſly non-concurred.

No grants had been made and no officers for the enſuing year had been conſtituted; the houſe, notwithſtanding, ſent a meſſage to the governor to deſire the court might riſe. He refuſed to gratify them. Thurſday the 13th of July had been appointed for a public faſt. The members deſired to be at home with their families and, on Wedneſday, by a vote, they adjourned themſelves to Tueſday in the next week. The Houſe of commons adjourn for as long time, without any immediate act of royal authority, but, I preſume, never contrary to a ſignification of the mind of the king; and the adjournments over holidays are as much eſtabliſhed, by ancient uſage, as the ordinary adjournments from day to day, and, being conformed to by both houſes of parliament, no inconvenience can ariſe. But the charter was urged, by the governor, to be the rule in this aſſembly, not the analogy between a Maſſachuſets houſe of repreſentatives and the commons of Great-Britain. The governor, by charter, has the ſole power of adjourning, proroguing and diſſolving the general court. Taken ſtrictly, it would be extremely inconvenient, for the act of the governor would be neceſſary every day. Upon a reaſonable conſtruction, therefore, the houſe had always adjourned from day to day, but never for ſo great a number of days. The council, who were obliged to ſpend near a week without buſineſs, unanimouſly voted, upon hearing the houſe had adjourned, that ſuch adjournment, without his excellency's knowledge and conſent, was irregular and not agreeable to the charter. 1721.

THE governor, afterwards, made this adjournment one of the principal articles of complaint againſt the houſe.

UPON Tueſday, like the firſt day of a ſeſſion, there was ſcarcely a houſe for buſineſs. The next morning ſome votes paſſed, which were offered to the governor, and which he would not ſuffer to be laid before him, until he had ſent for the houſe and told them they had made a breach upon his majeſty's prerogative, which he

1721. was under oath to take care of, and he inſiſted upon an acknowledgment of their error before they proceeded to buſineſs.

THE houſe, by a vote or reſolve, declared they had no deſign to make any breach upon the prerogative, but acknowledged, they had made a miſtake in not acquainting his excellency and the board with the adjournment.

THE governor obſerved to them, that they had, induſtriouſly, avoided acknowledging that the ſole power of adjourning, as well as proroguing and diſſolving the general aſſembly, is veſted in his majeſty's governor, by the royal charter. They thereupon agreed to the following meſſage. "The houſe of repreſentatives do truly acknowledge, that by the royal charter your excellency and the governor for the time being have the ſole power and authority to adjourn, prorogue and diſſolve the general court, and the houſe further acknowledge, that your excellency ought to have been acquainted with the deſign and intention of the houſe in their adjournment from Wedneſday the 12th to Tueſday the 18th inſtant, before they did adjourn, and that it was ſo deſigned and caſually omitted."

THE houſe carefully diſtinguiſhed between the power of adjourning the general court and adjourning the houſe of repreſentatives, one branch only, and ſeem to ſuppoſe, that their only miſtake was their not acquainting the governor and the board with their intention, which was, by no means, ſatisfactory to the governor, and he immediately ordered the houſe to attend him in the council chamber. The ſpeaker ordered all the members of the houſe to be called in and, expecting a diſſolution, they reſolved, "that all the votes of the houſe in the preſent ſeſſion, more eſpecially relating to any miſunderſtanding or difference that hath ariſen between his excellency and the houſe, ſhall be prepared to be ſent home and that the ſpeaker tranſmit them to William Tailer, Eſq; now reſident in London, or, in his abſence, to ſuch mer

perſon

perſons as he ſhall think fit, deſiring them to lay the 1721.
ſame before his majeſty in council, or any where elſe, if need require, to obviate any complaint that may be made by his excellency the governor againſt the proceedings of this houſe for their juſt and neceſſary vindication." So much time was taken up in this vote, or reſolve, that the governor was highly offended and ſent a ſecond time, requiring them to attend him forthwith. It has always been the practice of the houſe, before and ſince, upon a meſſage from the governor, to ſtop all buſineſs and go up without delay. The ſpeaker, at this time, was among the forwardeſt in the oppoſition. There was no need of four or five members to hold him, as the ſpeaker of the houſe of commons was once held, in the chair, until a number of ſtrong reſolutions had paſſed the houſe.

THE governor directed his ſpeech to the houſe only. "Gentlemen of the houſe of repreſentatives. I am very much concerned to find in the printed journal of the houſe, firſt, an order to appoint a committee to draw a memorial upon, or repreſentation of, my ſpeech, made before the diſſolution of the aſſembly in March laſt, and, afterwards, the memorial itſelf, ſigned by Mr. Cooke, in the name of the committee.

"THIS treatment is very ſurprizing, from a houſe of repreſentatives that profeſs ſo much loyalty and reſpect to his majeſty's government. It appears to me to be very irregular, that the preſent houſe of repreſentatives, whereof John Clarke, Eſq; is ſpeaker and which conſiſts of a majority of new members, ſhould take upon them to anſwer my ſpeech made to a former houſe of repreſentatives, whereof Timothy Lindall, Eſq; was ſpeaker. Theſe proceedings are not only improper, but without precedent from any former aſſembly.

"I muſt alſo obſerve to you, that you have not ſhewn that reſpect which is due to me as governor of this province, by ſuffering this order or memorial to go into the preſs, before it was communicated to me, which, if

1721. you had done, I could have convinced you, that it would have been very much for the ſervice of your conſtituents, that neither the order nor the memorial ſhould have appeared in print.

"IT is my opinion, that you will quickly be convinced how much you have been wanting in your duty and intereſt, by diſowning the authority of the right honorable board, which his majeſty has conſtituted to ſuperintend the affairs of the province and all the other plantations.

"For theſe reaſons, I ſhould have diſſolved the general court when the memorial firſt appeared, but I was in hopes the houſe might have been brought to correct or expunge it. Inſtead of making this uſe of my tenderneſs, you have gone on in the moſt undutiful manner to withdraw from his majeſty's and your country's ſervice, by adjourning yourſelves for near a week, without my knowledge or conſent, contrary to the royal charter, which abſolutely veſts in the governors of this province the power of adjourning, proroguing and diſſolving, and that at a time when I thought it for the intereſt of the colony to adjourn you for two days only, having an affair of the greateſt conſequence to communicate to the houſe, which was to perſuade you to take ſome effectual meaſures to prevent the plague coming among us, there being nothing ſo likely to bring it in as the French ſilk and ſtuffs which are conſtantly brought into this province.

"THESE your unwarrantable proceedings oblige me to diſſolve this aſſembly."

THIS ſpeech, and the diſſolution which followed, further alienated the minds of the people from the governor. Some of his friends wiſhed he had carried his reſentment no farther than putting an end to the ſeſſion and giving time to deliberate. There was no room to expect a change for the better, upon a new election.

THERE was yet no open war with the Indians, but they continued their inſults. The French inſtigated them and furniſhed them with ammunition and proviſions.

Governor

Governor Shute publiſhed a proclamation requiring the inhabitants to remain upon their eſtates and keep poſſeſſion of the country. No wonder the proclamation was not obeyed. I know no authority he had to require them to remain. If the preſervation of their own property was not ſufficient to keep them there, it could not be expected they would remain meerly as a barrier for the reſt of the province. 1721.

In the month of Auguſt, two hundred Indians with two French jeſuits came to George town upon Arowſick iſland, armed and under French colours, and, after ſome parley with the inhabitants, left a letter to be delivered to the governor, in which they make a heavy charge againſt the Engliſh for unjuſtly invading the property of the Indians and taking from them the country which God had given them,

Ralle, their ſpiritual father, was their patron alſo in their temporal concerns. Either from a conſciouſneſs of their having conveyed the country to the Engliſh, or from a deſire of peace and quiet they were averſe to engaging in war. When they were at their villages, the prieſts were continually exciting them to act vigorouſly and drive all the Engliſh to the weſtward of Kennebec, and ſuch was their influence over them that they would often ſet out from home, with great reſolution to perſiſt in their demands, and in their parleys, with the commanders of forts, as well as at more public treaties, would appear, at firſt, to be very ſturdy, but were ſoon ſoftened down to a better temper and to agree that the Engliſh ſhould hold the lands without moleſtation. When they returned home, they gave their father an account of great firmneſs they had ſhewn in refuſing to make any conceſſions, and to this we are to impute the erroneous relation of theſe treaties by Charlevoix and others.

But about this time Toxus, the Norridgewock chief, died. When they came to chuſe another Toxus, the old men who were averſe to war, contrary to Ralle's

1721. mind pitched upon Ouikouiroumenit, who had always been of the pacific party. They took another very diſagreeable ſtep and ſubmitted to ſend four hoſtages to Boſton, ſureties for their good behavior and for the payment of the damages the Engliſh had ſuſtained. Vaudreuil, the governor of Canada, was alarmed and thought it neceſſary to exert himſelf upon this occaſion. He writes to father Ralle, of the 15th of June, "I was at Montreal, my reverend father, when your letters of the 16th and 18th of May came to my hands, informing me of the bad ſtep taken by the Norridgewocks, in chuſing Ouikouiroumenit ſucceſſor to the deceaſed Toxus, of the great loſs which the whole Abenakis nation hath ſuſtained by his death, and the diviſions prevailing among the Norridgewocks, many of whom, and eſpecially their chiefs, have betrayed the intereſt of their tribe in openly favoring the pretenſions of the Engliſh to the country of Norridgewock. The faint hearts of your Indians in giving hoſtages to the Engliſh, to ſecure payment of the damage they have ſuſtained, and the audacious language which they have uſed to the Indians, in order to keep poſſeſſion of their country and to drive you out of it, fully convinced me that every advantage would be taken, of the preſent ſtate of affairs, to ſubject them to the Engliſh, if the utmoſt care ſhould not be immediately taken to prevent ſo great a misfortune. Without a moment's delay, I ſet out, in order to apply myſelf to the buſineſs at Montreal and from thence to St. Francois and Becancour, where I prevailed with the Indians of thoſe villages vigorouſly to ſupport the brethren of Norridgewock and to ſend two deputies for that purpoſe, to be preſent at the treaty and to let the Engliſh know, that they will not have to do with the Norridgewocks alone if they continue their injuries to them. The intendant and I have joined in a letter, deſire father le Chaſe to take a journey to Norridgewock, in order to keep thoſe Indians in their preſent diſpoſition and to encourage them to behave with firm-

neſs and reſolution. He will alſo go to Penobſcot, to engage them to ſend ſome of their chiefs alſo, to be preſent on this occaſion and to ſtrengthen their brethren." 1721.

BEGOIR, the intendant, writes at the ſame time to Rallé, "I wrote, my reverend father, to Monſ. de Vaudreuille, who is at Montreal, the ſentiments of father de la Chaſe and my own, viz. what we think convenient to be done, until we hear from the council of the marine whether the French ſhall join the Indians to ſupport them openly againſt the Engliſh, or ſhall content themſelves with ſupplying ammunition, as the council has adviſed that M. Vaudreuil might do, in caſe the Engliſh ſhould enterprize any thing againſt them. He thought it more proper to ſend the revd. father la Chaſe, than Monſ. de Croiſil, lieutenant, &c. becauſe the Engliſh can have no room to except to one miſſionary's viſiting another, the treaty of peace not forbidding it, whereas, if a French officer was ſent, they might complain that we ſent French men into a country, which they pretend belongs to them, to excite the Indians to make war upon them.

"It is to be wiſhed that you and your Indians may be ſuffered to live in quiet until we know the king's intentions whether we ſhall openly join the Indians if they are attacked wrongfully; in the mean time we ſhall aſſiſt them with ammunition which they may be aſſured they ſhall not want.

"P. S. Since I wrote the foregoing the Indians of St. Francois and Becancour have deſired M. Vaudreuil that M. de Croiſil may go with them to be a witneſs of their good diſpoſition, and he has conſented to join him with father de la Chaſe."

THE Maſſachuſets people made heavy complaints of the French governor, for ſupporting and ſtirring up enemies againſt them in time of peace between the two crowns, but he juſtified himſelf to his own maſter. Rallé was ranked by the Engliſh among the moſt infamous villains, and his ſcalp would have been worth an hundred ſcalps of the Indians. His intrepid courage and fervent zeal to promote

1721. the religion he profeſſed and to ſecure his *neophytes* or converts to the intereſt of his ſovereign were the principal cauſes of theſe prejudices. The French, for the ſame reaſons, rank him with ſaints and heroes. He had been, near forty years, a miſſionary among the Indians, and their manner of life had become quite eaſy and agreeable to him. They loved and idolized him, and were always ready to hazard their own lives to preſerve his. His letters, upon various ſubjects, diſcover him to have been a man of ſuperior natural powers, which had been improved by an education in a college of jeſuits. The learned languages, he was maſter of. His latin is pure, claſſical and elegant. He had taught many of his converts, male and female, to write, and correſponded with them in their own language, and made ſome attempts in Indian poetry. When he was young he learned to ſpeak dutch and ſo came more eaſily to a ſmattering of engliſh, enough to be underſtood by traders and tradeſmen who had been employed in building a church and other work at Norridgewock. He correſponded, in latin, with one or more of the miniſters of Boſton and had a great fondneſs for ſhewing his talent at controverſy. Pride was his foible and he took great delight in raillery. The Engliſh idiom and the flat and bald latin, in ſome of his correſpondents letters, afforded him ſubject. Some of his contemporaries, as well as Cotton, Norton, Mitchel, and others of the firſt miniſters of the country would have been a match for him. He contemned and often provoked the Engliſh, and when threatened with deſtruction by them, if they ſhould ever take Norridgewock, he replied —if—. We ſhall ſee, by and by, that he met with the ſame fate with others long before him, who by the like laconick and inſulting anſwer had unneceſſarily provoked their enemies.

THE Engliſh charge the Indians with perfidy and breach of the moſt ſolemn engagements. The jeſuit denies it and juſtifies their conduct, from their being under dureſſe, at ſuch times, and compelled to agree to whatever

whatever terms are propoſed to them; particularly, 1721.
when they met governor Shute, at Arowſick, in 1717, he ſays, the body of the Norridgewocks had fully determined, that the Engliſh ſhould ſettle no farther upon Kennebeck river than a certain mill; for all the pretence they had to go beyond that, was a bargain of this ſort, made by ſome Engliſhman with any Indian he happened to meet with, "I will give you a bottle of rum if you will give me leave to ſettle here, or if you will give me ſuch a place; give me the bottle, ſays the Indian, and take as much land as you have a mind to: The Engliſhman aſks his name, which he writes down and the bargain is finiſhed. Such ſort of bargains being urged againſt the Indians, at the treaty, they roſe in a body and went away in great wrath, and, although they met again the next day and ſubmitted to the governor's terms, yet when they came home all they had done was diſallowed by the body of the nation and rejected." Whilſt the Engliſh kept within the mill the jeſuit forbad the Indians moleſting them, but if any ſettled beyond thoſe bounds he allowed and encouraged the Indians to kill their cattle and to make other ſpoil.

THE conſideration made by the purchaſers of Indian lands was not always ſo inconſiderable as the jeſuit mentions, and the purchaſes were from chiefs or reputed chiefs or ſachems, and poſſeſſion had been taken and improvements made ſcores of miles beyond the limits he would reſtrain the Engliſh to, more than ſixty years before.

THE French governor, Vaudreuil, in his manuſcript letters, and the French hiſtorian, Charlevoix, in print, ſuppoſe the Engliſh ſettlers to be meer intruders, and charge the Engliſh nation with great injuſtice in diſpoſſeſſing the Abanakis of their country. The European nations, which have their colonies in America, may not reproach one another upon this head. They all took poſſeſſion, contrary to the minds of the natives, who would gladly have been rid of their new gueſts. The

beſt

1721. beſt plea, viz. that a ſmall number of families laid claim to a greater part of the globe than they were capable of improving, and to a greater proportion than the general proprietor deſigned for ſo few people, who therefore had acquired no ſuch right to it as to exclude the reſt of mankind, will hold as well for the Engliſh as any other nation. The firſt ſettlers of the Maſſachuſets and Plimouth were not content with this, but made conſcience of paying the natives to their ſatisfaction for all parts of the territory which were not depopulated or deſerted and left without a claimer. Gorges the original patentee of the province of Main made grants or conveyance of great part of the ſea coaſt and rivers of that province without purchaſe from the natives, other parts had been purchaſed from them by particular perſons and the remaining part, as well as the country eaſt of it, the government claimed by conqueſt, but it muſt be confeſſed that in the ſeveral treaties of peace this right had not been acknowledged by the Indians nor inſiſted upon by the Engliſh, this controverſy being about thoſe parts of the country which the Engliſh claimed by purchaſe and no mention made of a right to the whole by conqueſt.

THE governor, immediately after the diſſolution of the general court, iſſued writs for a new houſe of repreſentatives and the court met, the 23d of Auguſt, at the George tavern, the extreme part of Boſton, beyond the iſthmus or neck, the ſmall pox then prevailing in the town. The houſe choſe Mr. Clarke, their former ſpeaker, and informed the governor of it by meſſage, and he ſent his approbation, in writing, to the houſe. They paſſed a reſolve, that they intended no more by their meſſage than to inform the governor and council of the choice they had made and that they had no need of the governor's approbation.

THE firſt act of the houſe gave new occaſion for controverſy. They were ſo near the town as to be in danger and, inſtead of deſiring the governor to adjourn or prorogue the court to ſome other place, they paſſed a vote

vote for removing the court to Cambridge and ſent it to the council for concurrence. The council noncon-curred the vote. The governor let the houſe know, that he ſhould be very ready to gratify them if he was applied to in ſuch manner as ſhould conſiſt with the ſole right in him of adjourning, proroguing and diſſolving the court. They replied, that they were very willing to acknowledge his right, ſo far as reſpected time, but as to place, by the law of the province the court was to be held in Boſton, and therefore an act or order of the three branches was neceſſary to remove it to any other place. They let the governor know further, that although they had convened in conſequence of his ſummons yet, as many of the members apprehended their lives in danger, they would leave the court and go home. There was a quorum, however, who choſe to riſque their lives rather than concede that the governor had power, by his own act, to remove the court from Boſton to any other town in the province, or riſque the conſequence of refuſing to remain a ſufficient number to make a houſe. 1721.

The governor had received from England the opinion of the attorney general, that he had good right to negative the ſpeaker, and the lords commiſſioners of trade and plantations had wrote to him and ſignified their approbation of his proceedings. Theſe papers he cauſed to be laid before the houſe. The houſe drew up a remonſtrance in which they juſtify their own conduct and that of former aſſemblies, in their controverſies with the governor, and with a great deal of decency declare, that, with all deference to the opinion of the attorney general, they muſt ſtill claim the right of ſolely electing and conſtituting their ſpeaker, and they humbly preſumed that their ſo doing could not be conſtrued a ſlight of or diſreſpect to his majeſty's inſtructions, or bearing upon the royal prerogative. The governor gave them a ſhort and very moderate anſwer; that he had made his majeſty's inſtructions and the royal charter the rule of his adminiſtration, that he did not deſire to be his

own

1721. own judge, the former houſe had voted to ſend an account of their proceedings to England and it would be very acceptable to him, if the preſent houſe would ſtate the caſe and ſend it home to perſons learned in the law, and give them directions to appear for the houſe, that his majeſty might judge between his governor and them, but in the mean time it was his duty to follow his inſtructions until they were countermanded.

HERE ſeems to have been a calm interval. The flame was abated but the fire not extinguiſhed. Freſh fewel ſoon cauſed a freſh flame. The grant to the governor afforded proper matter. It was ſaid the houſe were bad œconomiſts. To ſave an hundred pounds in the governor's ſalary they put their conſtituents to the expence of five hundred pounds for their own wages. If the governor's demand was unreaſonable, the houſe may be juſtified although the wages of the members for the time ſpent in the debate amounted to much more than the ſum in diſpute. The currency alſo continued to depreciate, but this is a conſideration which never had its juſt weight. Twenty ſhillings one year, muſt be as good as twenty ſhillings another. They received and paid their private dues and debts in bills of credit according to their denominations, why ſhould not the government's debts be paid in the ſame manner? A majority of the houſe were prevailed upon to vote no more than five hundred pounds, for half a year's ſalary, equal to about an hundred and eighty pounds ſterling.

THE governor was irritated, inſtead of obtaining an eſtabliſhed ſalary of a thouſand pounds ſterling per annum, which he had been inſtructed to inſiſt upon, his whole perquiſites from the government would not afford him a decent ſupport, and they were growing leſs every day by the ſinking of the currency in its value.

THE houſe, from an expectation that the governor would, from time to time, make complaints to the miniſtry, voted £.500 ſterl. to be paid into the hands of ſuch

ſuch perſons as ſhould be choſen to defend their rights 1721.
in England, but the council refuſed to concur the vote, becauſe it was not expreſſed by whom the perſons ſhould be choſe.

At the cloſe of the ſeſſion, the houſe and council came into a vote, and the governor was prevailed with to conſent to it, "that 300 men ſhould be ſent to the head quarters of the Indians, and that proclamation ſhould be made commanding them, on pain of being proſecuted with the utmoſt ſeverity, to deliver up the jeſuits and the other heads and fomenters of their rebellion and to make ſatisfaction for the damage they had done, and, if they refuſed to comply, that as many of their principal men as the commanding officer ſhould judge meet ſhould be ſeized, together with Rallé, or any other jeſuit, and ſent to Boſton, and, if any oppoſition ſhould be made, force ſhould be repelled by force." Judge Sewall,* one of the council, ſcrupled the lawfulneſs of this proceeding againſt the Indians and entered his diſſent. After the general court was prorogued, the governor, notwithſtanding he had conſented to the vote, ſuſpended the proſecution until the Indian hoſtages eſcaped from the caſtle, but a war being then deemed inevitable, orders were given for raiſing the men. The hoſtages were taken and ſent back to their confinement and then the orders were recalled.

A promiſe had been made, by the governor, to the Indians, that trading houſes ſhould be built, armourers or ſmiths ſent down, at the charge of the province, and that they ſhould be ſupplied with proviſions, cloathing, &c. for their furs and ſkins.† The compliance with this

* This gentleman was a good friend to the aboriginals of every tribe, not from meer humanity and compaſſion, but he was much inclined to think they were part of the ancient people of God, and that the ten tribes, by ſome means or other, had ſtrolled into America. He was a commiſſioner from the corporation for propagating the goſpel among them, and with his own ſubſtance built them a ſynagogue and did many other charitable acts.

† Treaty at Arowſick.

1721. this promiſe was expected from the general court, and, at any other time, it would have been thought a well judged meaſure, but the unhappy controverſy with the governor would not ſuffer any thing, from him, to be approved of, and the private traders provoked the Indians by their frauds and other injuries and, it ſeems, the governor, as well as good Mr. Sewall, ſcrupled whether a declaration of war againſt them was juſt or prudent. This houſe and council choſe to call the proceedings againſt them a proſecution for rebellion but, if a view be taken of all the tranſactions between the Engliſh and them from the beginning, it will be difficult to ſay what ſort of ſubjects they were, and it is not certain that they underſtood that they had promiſed any ſubjection at all.

THE houſe, diſſatisfied with the governor for not carrying into execution a vote of the whole court, reſolved at the beginning of the next ſeſſion, "that the government has ſtill ſufficient reaſon for proſecuting the eaſtern Indians for their many breaches of covenant." The vote being ſent up for concurrence, the council deſired the houſe to explain what they intended by proſecution, but they refuſed to do it and deſired the council either to concur or non-concur. The houſe refuſing to explain their meaning, the board undertook to explain it and concurred the vote with a declaration that they underſtood it to be ſuch a proſecution as had been determined the former ſeſſion. This no doubt was irregular in the council and left room to queſtion whether it was a vote of the court, the houſe not having agreed to it as the council qualified it. However, in conſequence of it, a party of men were ordered up to Norridgewock, and returned with no other ſucceſs than bringing off ſome of Rallé's books and papers, his faithful diſciples having taken care to ſecure his perſon and to fly with him into the woods. This inſult upon their chief town and the ſpoil made upon their prieſt will not long remain unrevenged.

THE

THE ſeſſion began at Boſton the 3d of November. 1721.
The governor prorogued the court to meet at Cambridge, the 7th; and before they proceeded to buſineſs, to avoid any diſpute about the place of meeting, which would have obſtructed the important affairs of the province, he gave his conſent to a vote of the two houſes, that by this inſtance of the governor's adjourning the court no advantage ſhould be taken in favor of his ſole power of removing the court from place to place. In his ſpeech, he had taken no notice of party diſputes and only recommended to them to raiſe money for the ſervice of the government and particularly of their expoſed frontiers.

THE houſe, in their vote for ſupply of the treaſury, brought in a clauſe which had not been in former votes and which the council ſuppoſed would lay ſuch reſtraint upon the money in the treaſury, that it would not be in the governor's power, with their advice and conſent ſo much as to pay an expreſs without a vote of the whole court; they therefore non-concurred the vote, and the houſe refuſed any proviſion without that clauſe. In the midſt of the diſpute, Mr. Hutchinſon, one of the members for Boſton, was ſeized with the ſmall pox and died in a few days.* The ſpeaker, Mr. Clarke, was one of the moſt noted phyſicians in Boſton and, notwithſtanding all his care to cleanſe himſelf from infection after viſiting his patients, it was ſuppoſed, brought the diſtemper to his brother member, which ſo terrified the court, that after the report of his being ſeized, it was not poſſible to keep them together and the governor found it neceſſary to prorogue them.† At the next ſeſſion in March, the houſe inſiſting upon the form of ſupply which they had voted in the laſt ſeſſion, the council concurred.

AN affair happened, during this ſeſſion, which ſhewed the uncertainty of the relation the Indians ſtood in to the Engliſh. Caſtine, ſon by an Indian woman to the Baron de St. Caſtine, who lived many years, in the laſt century, at Penobſcot, had appeared among the Indians, who

* Nov. 30. † Nov. 17.

1721. who were in arms at Arowſick. By an order of court, he had been afterwards ſeized in the eaſtern country and brought to Boſton and put under cloſe confinement.

THE houſe ordered, that he ſhould be brought upon trial in the county of Suffolk, before the ſuperior court, and that the witneſſes who ſaw him in arms ſhould be ſummoned to attend. This, no doubt, would have been trying in one county a fact committed in another. The council non-concurred and voted to ſend for witneſſes, that the court might judge in what manner to proceed againſt him, but this was not agreed to by the houſe. Some time after, a committee was appointed to examine him. Caſtine was a very ſubtle fellow and made all fair with the committee. He profeſſed the higheſt friendſhip for the Engliſh and affirmed that he came to Penobcot to prevent the Indians from doing miſchief, and promiſed to endeavour to influence all that tribe to keep peace. The committee, therefore, reported and the two houſes accepted the report, that he ſhould be ſet at large. The governor approved of this proceeding. He had yet hopes of preſerving peace. To have puniſhed him as a traitor, would have deſtroyed all hopes of an accommodation. It might alſo very well be queſtioned whether it would have been juſtifiable. The tribe or nation, with which he was mixed, has repeatedly, in words of which they had no adequate ideas, acknowledged themſelves ſubjects; but, in fact, in concomitant as well as precedent and ſubſequent tranſactions with them, had always been conſidered as free and independent, and, although they lived within the limits of the charter, the government never made any attempt to exerciſe any civil authority or juriſdiction over them, except when any of them came within the Engliſh ſettlements and diſputes had ariſen between them and the Engliſh ſubjects.

THE houſe who, the laſt ſeſſion, were for proſecuting the Indians and could not reaſonably have ſuppoſed that they would bury, as they expreſs themſelves, the

late

late march of the Engliſh to Norridgewock, ſeem, not- 1721.
withſtanding, to be ſuddenly changed from vigorous meaſures for bringing them to terms, to ſchemes for appeaſing and ſoftening them; and a preſent was ordered to be ſent to Bomaſeen, the Norridgewock captain, to engage him in favor of the Engliſh.

THE ſmall pox, this year, made great havock in Boſton and ſome of the adjacent towns.* Having been prevented ſpreading for near 20 years, all born within that time, beſides many who had eſcaped it before, were liable to the diſtemper. Of 5889 which took it in Boſton 844 died. Inoculation was introduced upon this occaſion, contrary to the minds of the inhabitants in general, and not without hazard, to the lives of thoſe who promoted it, from the rage of the people. Doctor C. Mather, one of the principal miniſters of Boſton, had obſerved, in the philoſophical tranſactions, a letter of Timonius from Conſtantinople, and a treatiſe of Pylarinus, Venetian conſul at Smyrna, giving a very favorable account of the operation, and he recommended a trial to the phyſicians of the town, when the ſmall pox firſt began to ſpread, but they all declined it except Doctor Boyliſton, who made himſelf very obnoxious. To ſhew the confidence he had of ſucceſs, he began with his own children and ſervants. Many ſober pious people were ſtruck with horror and were of opinion that, if any of his patients ſhould die, he ought to be treated as a murderer. The vulgar were enraged to that degree, that his family was hardly ſafe in his houſe and he often met with affronts and inſults in the ſtreets.

THE faculty, in general, diſapproved his conduct, but Doctor Douglaſs made the moſt zealous oppoſition. He had been regularly bred in Scotland, was aſſuming even to arrogance, and in ſeveral fugitive pieces, which he publiſhed, treated all who differed from him with contempt. He was credulous and eaſily received idle reports, of

T perſons,

* It was brought into the harbour of Boſton about the middle of April by the Saltortugas fleet.

1721. perſons who had received the ſmall pox by inoculation taking it a ſecond time in the natural way, of others who periſhed in a moſt deplorable manner from the corrupt matter which had ſo infected the maſs of blood as to render the patient incurable. At other times, he pronounced the eruption from inoculation, to be only a puſtulary fever, like the chicken or ſwine pox, nothing analogous to the ſmall pox and that the patient, therefore, had not the leaſt ſecurity againſt the ſmall pox, afterwards, by ordinary infection.

ANOTHER practiſer, Lawrence Dalhonde, who had been a ſurgeon in the French army, made oath that at Cremona, about the year 1696, the operation was made upon 13 ſoldiers, 4 of which died, 3 did not take the diſtemper, the other 6 hardly eſcaped and were left with tumors, inflammations, gangrenes, &c. and that, about the time of the battle of Almanza, the ſmall pox being in the army, two Muſcovians were inoculated, one without any immediate effect, but ſix weeks after was ſeized with a frenzy, ſwelled all over his body and was ſuppoſed to be poiſoned, and, being opened after his death, his lungs were found ulcerated, which it was determined was cauſed by inoculation.

THE juſtices of the peace and ſelectmen of the town called together the phyſicians who, after mature deliberation, came to the following concluſions. "That it appears by numerous inſtances, that inoculation has proved the death of many perſons, ſoon after the operation, and brought diſtempers upon many others which, in the end, have proved deadly to them. That the natural tendency of infuſing ſuch malignant filth in the maſs of blood is to corrupt and putrify it, and if there be not a ſufficient diſcharge of that malignity, by the place of inciſion or elſewhere, it lays a foundation for many dangerous diſeaſes. That the continuing the operation among us is likely to prove of the moſt dangerous conſequence." The practice was generally condemned.

THE

THE common people imbibed the ſtrongeſt prejudices, 1721.
and ſuch as died by inoculation were no more lamented than ſelf murderers. Doctor Mather, the firſt mover, after having been reproached and vilified in pamphlets and news papers, was at length attacked in a more violent way. His nephew, Mr. Walter, one of the miniſters of Roxbury, having been privately inoculated in the doctor's houſe in Boſton, a villain, about three o'clock in the morning, ſet fire to the fuze of a granado ſhell, filled with combuſtible ſtuff, and threw it into the chamber where the ſick man was lodged. The fuze was fortunately beat off by the paſſing of the ſhell through the window, and the wild fire ſpent itſelf upon the floor. It was generally ſuppoſed* that the burſting of the ſhell by that means was prevented. A ſcurrilous menacing writing was faſtened to the ſhell or fuze.

THE moderate oppoſers urged, that the practice was to be condemned as truſting more to the machination of men, than to the all wiſe providence of God in the ordinary courſe of nature, and as tending to propagate diſtempers to the deſtruction of mankind, which proved it to be criminal in its nature and a ſpecies of murder. The magiſtrates, I mean thoſe in Boſton, ſuppoſed it had a tendency to increaſe the malignity and prolong the continuance of the infection, and that therefore it behoved them to diſcountenance it.

AT length, the houſe of repreſentatives laid hold of it, and a bill was brought in and paſſed to prohibit all perſons from inoculation for the ſmall pox, but the council were in doubt and the bill ſtopped.

SUCH is the force of prejudice.—All orders of men, in that day, in greater or leſſer proportion, condemned a practice which is now generally approved and to which many thouſands owe the preſervation of their lives.

BOYLSTON continued the practice, in ſpite of all the oppoſition. About 300 were inoculated, in Boſton and

* I remember to have ſeen the ſhell, which was not filled with powder but a mixture of brimſtone with bituminous matter.

1721. the adjacent towns. It is impoſſible to determine the number which died by it. Douglaſs would have it there was one in fourteen, whilſt the favorers of the practice would not allow more than one in ſeventy or eighty. It was evident, from the ſpeedy eruption, that many had taken the diſtemper before they were inoculated. Indeed, where perſons have continued in an infected air for months together no true judgment can ever be made of the experiment. †

1722. THE new houſe of repreſentatives, in May, choſe the former ſpeaker and the governor declared his approbation in the ſame manner he had done before. He negatived two of the councellors elect, Col. Byfield and Mr. William Clark. Mr. Clark, being a member of the houſe for Boſton. had ever adhered cloſely to Mr. Cooke. The governor ſhewed his reſentment by refuſing to admit him to the council, but did not ſerve his own intereſt, Mr. Clark's oppoſition being of greater conſequence in the houſe.

THE Indians were meditating miſchief, from the time the Engliſh were at Norridgewock, but committed no hoſtilities until June following. They came then with about 60 men, in twenty canoes, into Merrymeeting bay and took priſoners nine families, but gave no marks of their uſual rage and barbarity. Some of their priſoners they releaſed immediately and others in a ſhort time after. Enough were retained to be a ſecurity for the return of their hoſtages from Boſton. Another ſmall party of Indians made an attempt upon a fiſhing veſſel belonging to Ipſwich, as ſhe lay in one of the eaſtern

† It happened that in the ſame month in which inoculation began in Boſton, two children, a daughter, I ſuppoſe, of lady Mary W. Montague and a ſon of doctor Keith, were inoculated in England. Then an experiment was made upon condemned criminals. After that, 3 or 4 children were inoculated, and the ſpring following ſeveral children in the hoſpitals. The ſucceſs of theſe attempts encouraged the like with two of the princeſſes, which ſucceeded very favorably.

eaſtern harbours, but the fiſhermen being armed they killed two or three of the Indians and the reſt retreated. The collector of the cuſtoms at Annapolis-royal, Mr. Newton, with John Adams, ſon of one of the council for Nova-Scotia, were coming from thence, with captain Blin, to Boſton, and, putting in to one of the Paſſima-quadies, went aſhore, with other paſſengers, and were all ſeized and made priſoners, by about a dozen Indians and as many French; the people left on board the ſloop cut their cables and fled to Boſton. 1722.

ANOTHER party of Indians burned a ſloop at St. Georges river, took ſeveral priſoners and attempted to ſurprize the fort.

INTELLIGENCE of theſe ſeveral hoſtile acts came to Boſton, whilſt the general court was ſitting, but there ſeemed to be no diſpoſition to engage in war. Inſtead of the former vigorous reſolves, upon leſſer provocations, the houſe propoſed that a meſſage ſhould be ſent to the Norrigewock Indians to demand the reaſons of this behavior, reſtitution of the captives, and ſatisfaction for damages, and acquaint them that, if they refuſed, effectual methods would be taken to compel them. The hoſtages, given by the Indians, were ſent down to the eaſtward and, upon the reſtoring the Engliſh captives, they were to be ſet at liberty.

THE friends of the Engliſh captives were importunate with the government to take meaſures for their redemption, and a view to effect this ſeems to have been the chief reaſon which delayed a declaration of war. But, ſoon after the prorogation of the court, news came that the Indians had burnt Brunſwick, a village between Caſco bay and Kennebeck, and that Capt. Harman, with part of the forces poſted upon the frontiers, had purſued the enemy, killed ſeveral and taken 15 of their guns. Immediately after this news (July 25) the governor, by advice of council, cauſed a declaration of war to be publiſhed.

1722. FOREIGN wars often delivered Greece and Rome from their inteſtine broils and animoſities, but this war furniſhed a new ſubject for contention. The governor often charged the party in the houſe, with aſſuming the direction of the war and taking into their hands that power, which the charter gives to the governor. He gave them a hint in his ſpeech (Auguſt 8th) at the opening the next ſeſſion. "One thing I would particularly remark to you, which is that, if my hands and the council's be not left at a much greater liberty than of late they have been, I fear our affairs will be carried on with little or no ſpirit. Surely, every perſon who wiſhes well to his country will think it high time to lay aſide all animoſities, private peeks and ſelf-intereſt, that ſo we may unanimouſly join in the vigorous proſecution of the weighty affairs which are now upon the carpet."

THE houſe, in an addreſs to the governor, ſignified their ſentiments of the neceſſity of this declaration of war and promiſed "all neceſſary and chearful aſſiſtance." A committee, of the two houſes, ſettled the rates of wages and proviſions for the forces, to which no exception was taken, but they went further and determined the ſervice in which they were to be employed, 300 men to be ſent upon an expedition to Penobſcot, and the reſt to be poſted at different places on the frontiers, and qualified their report, by deſiring the governor to give orders accordingly. He let them know, that the king his maſter and the royal charter had given him the ſole command and direction of the militia and all the forces, which might be raiſed on any emergency, and that he would not ſuffer them to be under any direction but his own and thoſe officers he ſhould think fit to appoint. The houſe made him no anſwer. The deſtination of the military forces in this manner and making the eſtabliſhment of their wages depend upon a compliance with it, had not been the practice in former wars and adminiſtrations, but the governor found he

he muſt ſubmit to it, or the frontiers would be without defence. He gave up his own opinion with reſpect to the Penobſcots and had laid the ſame plan which the committee had reported and he intended to proſecute it, which made his compliance more eaſy. The houſe, being diſſatisfied with Major Moody, who had the command of the forces, paſſed a vote deſiring the governor to diſmiſs him. The council non-concurred this vote, "becauſe he was condemned unheard," and ſubſtituted another vote to deſire the governor to ſend for him, that he might attend the court, but this the houſe would not agree to and ſent a ſeperate meſſage to the governor to deſire him to ſuſpend the major from his poſt. The governor told them he was ſurprized they ſhould deſire ſo high a piece of injuſtice as the puniſhing a man without hearing what he had to ſay for himſelf, and let them know he would enquire into the grounds of their complaint. Several other votes paſſed, relative to the forces, which the governor did not approve. 1722.

AT the next ſeſſion, November 15th, he recommended a law to prevent mutiny and deſertion, for want of which the men were daily running away. The houſe thought it neceſſary to be firſt ſatisfied, whether the deſertion in the army was not owing to the unfaithfulneſs of the officers and appointed two committees, one to repair to the head quarters on the eaſtern, and the other on the weſtern frontiers, with powers to require the officers to muſter their companies, when an exact liſt was to be taken of the men that appeared, an account of all deſerters and of all ſuch as were abſent upon furloe, or had been diſmiſſed or had been exchanged, together with divers other powers. They then applied to the governor to give orders to all in command to pay a proper deference to the vote and order of the houſe reſpecting repeated abuſes and miſmanagements among the forces, &c.

THIS the governor thought he had good right to except to, and he made the vote itſelf, as well as the

1722. manner in which it was to be executed, an article of complaint againſt the houſe to the king, but he was prevailed upon to conſent to it, and either made or intended to make this condition, that the committees ſhould make report to him. The houſe urged this conſent againſt him but, in England, it was not thought a ſufficient juſtification.

THE conceding in one point naturally led to a demand of the like conceſſions in others.

IT was thought a ſalutary meaſure to ſend for delegates from the Iroquois, who were in friendſhip with us, and to deſire them to uſe the influence they had over the eaſtern Indians, in order to their making ſatisfaction for the injuries done and to their good behavior for the time to come. When the delegates came to Boſton, the houſe voted that the ſpeech to be made to them by the governor ſhould be prepared by a committee of the two houſes. The governor had prepared his ſpeech and he directed the ſecretary to read it to the houſe of repreſentatives, but this was not ſatisfactory and they ſent a meſſage, to deſire that what the ſecretary had read might be laid before the houſe. The governor refuſed, at firſt, but, upon further conſideration conſented, deſiring they would ſpeedily return it. They ſent it back to him and let him know they could not agree to it, unleſs he would ſpeak in the name of the general court, and the houſe of repreſentatives might be preſent when the ſpeech was delivered. This was diſagreeable to him, and a novelty to the Indians, who had always conſidered in their treaties, the governor of Pennſylvania, as well as the governor of New-York, to be treating with them in their own names, or the name of the king, and not of their reſpective aſſemblies, but he ſubmitted.

IN conſequence of the vote of the houſe, in the laſt ſeſſion, the governor had directed an expedition to Penobſcot, although it was not altogether agreeable to his own judgment. It ſeems he had hopes of an accommodation, with that tribe at leaſt. Col. Walton, who had

had the command on the eaſtern frontiers, ſelected forces proper for the purpoſe, and they had actually begun their march, when intelligence arrived to the colonel that Arowſick was attacked, by a great number of Indians. He immediately ſent an expreſs with orders to the forces to return, and acquainted the governor with his proceedings. The council adviſed to keep the whole forces for the defence of our own inhabitants, and to ſuſpend acting upon the offenſive until winter, which they judged a more proper ſeaſon for the expedition; and the men, in conſequence of this new advice, were employed in marches upon the back of the frontiers. But the houſe were diſſatisfied, and ſent a meſſage to the governor "to deſire him to order, by expreſs, Col. Walton to appear, forthwith, before the houſe, to render his reaſons why the orders relating to the expedition had not been executed." This was not only to take Walton from the command, as long as the houſe ſhould think fit to detain him, but the orders, 'relating to the expedition,' might be underſtood to mean the orders which had been given by the houſe and not what he had received from the captain general. The governor told the committee that he would take no notice of the meſſage from the houſe unleſs it was otherwiſe expreſſed, beſides, he and the council were well ſatisfied and he thought every body elſe was. He added, that he intended the officers ſhould give an account 'to him' of their conduct. The next day (Nov. 20th) they ſent another meſſage to him to deſire him to inform the houſe, whether he would ſend for Walton as they had deſired. He then told the committee, he would ſend his anſwer to the houſe when he thought proper. Upon this, they ſeem to have appointed a meſſenger to go to the eaſtward, upon what occaſion does not appear, and the next day paſſed the following extraordinary vote. "Whereas this houſe did on thurſday laſt appoint a committee to wait on his excellency the governor, praying his orders for Col. Walton's appearance before the houſe, and renewed their requeſt

1722.

to

1722. to him yeſterday, and his excellency has not yet ſeen cauſe to comply with that vote, and the denial of Col. Walton's being ſent for has extremely diſcouraged the houſe, in projecting any future ſchemes for carrying on the war, under any views of ſucceſs. And this houſe, being zealouſly inclined to do what in them lies to bring this people out of the calamities and perplexities of the preſent war, and to ſpare no coſt and charge to effect ſo great a good, were ſome things at preſent remedied; we do therefore, once more, with the greateſt ſincerity and concern for our country's good, apply to your excellency for your ſpeedy iſſuing your orders concerning Col. Walton, to be diſpatched by the meſſenger of this houſe going into thoſe parts." The governor did not like to be ſo cloſely preſſed, and when the committee came to his houſe he told them, he would not receive the vote and, as it is inſerted in the report and journal of the houſe "he went his way." They then appointed their ſpeaker and eight principal members, a committee to wait upon the governor and deſire him to return to the chair, "on ſome important affairs which lay before the houſe," but he refuſed to ſee the committee and directed his ſervant to tell them he would not then be ſpoke to by any body.

WALTON was a New-Hampſhire man at the head of the forces, a ſmall part only of which were raiſed in that government. This might prejudice many, but there was a private grudge againſt him, in ſome of the leading men of the houſe, and they never left purſuing him until they effected his removal.

THE houſe, finding the governor would not comply, all their meſſages to him being exceptionable, founded upon a ſuppoſed right in the houſe to call the officers out of the ſervice to account before them whenſoever they thought proper, and alſo to order the particular ſervices in which the forces ſhould be employed without leaving it in the governor's power to vary they made ſome alterations in the form of their requ

and (Dec. 4th) paſſed the following vote, "Whereas this houſe have been informed of divers miſcarriages in the management of the war in the eaſtern country, voted that his excellency the governor be deſired to expreſs Col. Walton, that he forthwith repair to Boſton and, when he hath attended upon his excellency, that he would pleaſe to direct him to wait on this houſe, that they may examine him, concerning his late conduct in proſecuting the war, more eſpecially referring to the late intended expedition to the fort of Penobſcot." This being more general and not confined to the laying aſide the expedition, which was known to be in conſequence of orders, the governor was willing it ſhould be conſtrued favorably and ſent for Walton. 1722.

THE council having ſteadily adhered to the governor, he took this opportunity to recommend to the houſe to act jointly with the council in meſſages to him of general concern, and at the ſame time, in a verbal meſſage by the ſecretary endeavored to ſoften the temper of the houſe. "Mr. ſpeaker, his excellency commands me to acquaint this honorable houſe that he has taken into conſideration the ſeveral meſſages relating to Col. Walton, and thinks it moſt agreeable to the conſtitution and what would tend to keep up a good agreement between the council and houſe of repreſentatives for all their meſſages, of a public nature and wherein the whole government is concerned, to be ſent up to the council for their concurrence and not immediately to himſelf; however, that he will give order for Col. Walton's coming up to town and, when he has received an account of his proceedings, the whole court ſhall have the hearing of him if they deſire it." In this way, the governor intended to guard againſt any undue proceeding, there being no danger of the council's condemning a meaſure to which a little while before they had given their advice and conſent, but the houſe improved the hint to a very different purpoſe, and on the 5th December voted "that a committee, to conſiſt of eleven members of the two houſes

ſeven

1722. ſeven of the houſe of repreſentatives and four of the council, ſhall meet in the receſs of the court, once in 14 days, and oftener if occaſion ſhould require to concert what ſteps and methods ſhall be put in practice, relative to the war, and having agreed upon any projections or deſigns, to lay them before his excellency for his approbation, who is deſired to take effectual care to carry them into ſpeedy execution."* In affairs of government, of what nature ſoever, this was an innovation in the conſtitution, but in matters relative to the war it was taking the powers from the governor, which belonged to him by the conſtitution, and veſting them in a committee of the two houſes. The council unanimouſly nonconcurred the vote, and altercation enſued, between them and the houſe, but the council perſevered. In the mean time the governor was engaged with the houſe in freſh diſputes.

THE committee of the houſe, which had been ſent to the eaſtern frontiers, returned and, inſtead of making their report to the governor, which was the condition of his conſent to their authority and of his orders to the officers to ſubmit to them, they made their report to the houſe. This was diſingenuous. It would not do to urge that he had no right to make conditions to their votes, for he had given no conſent, unleſs it was conditional,

* This was unprecedented, and had it been only a devolving the powers, by the conſtitution intruſted with the whole legiſlature, could not be juſtified, but it was an aſſuming the power given to one branch only, the governor, and then devolving it to a few of their own number. Such innovations are dangerous. They may be improved to ſerve the purpoſes of an arbitrary prince or governor, as well as thoſe of a popular faction. When Richard 2d had a packed parliament devoted to his will and pleaſure he procured an act or order, under colour of diſpatching buſineſs, which inveſted the whole authority of parliament in the king, with twelve peers and ſix commoners. On the other hand, in 1641, the lords and commons having determined to adjourn from the 9th of September to the 20th of October, appointed committees, viz. ſeven of the lords and forty three of the commons, to take care, during the receſs, of the moſt weighty and urgent affairs.

conditional, and without his consent they could have no authority.† Assoon as he heard of the report, he sent to the house for his original order, which he had delivered to the committee. They answered that they were not possessed of it, but the chairman of the committee had left an attested copy on their files, which he might have if he pleased, but he refused the copy and insisted upon the original. He then sent for John Wainwright, the chairman of the committee, to attend him in council and there demanded the return of the original order. Wainwright, in general, was what was called a 1722.

† In the first year of the reign of the late King William, a motion was made in the house of commons for an address to his majesty to send persons into Ireland to take account of the numbers of the army and the provisions, which the king assured them he would do. Afterwards, a motion was made that the commons should send some of their members and of their own nomination. The king being informed of it sent the following message.

"William R.

"His majesty having already declared his resolutions to prosecute the war in Ireland with the utmost vigor, and being desirous to use the means that may be most satisfactory and effectual in order to it, is graciously pleased, that this house do recommend a number of persons, not exceeding seven, to be commissioned by his majesty, to take care of the provisions and such other preparations as shall be necessary for that service.

"His majesty is further pleased to let the house know that, upon consideration of the address of the 11th of November, he gives them leave to nominate some persons to go over to Ireland, to take an account of the number of the army there and the state and condition of it, who shall receive his majestys orders accordingly."

This is called a condescending message. It is certain the house of commons did not think fit to take these powers upon them, but, after a vote of thanks to his majesty,

"Resolved, that this house doth not think to recommend any member of this house to be employed in the service of Ireland, for the purposes expressed in his majesty's gracious message of Saturday last.

"Resolved, that this house doth humbly desire to be excused from recommending any persons to his majesty to be employed in the service of Ireland; but humbly leave it to his majesty's great wisdom to nominate fit persons for that service."

1722. a prerogative man, but the houſe had enjoined him not to return the order. He acknowledged he had the order in his poſſeſſion, but deſired to be excuſed from delivering it, the houſe having directed him to deliver no original papers. The original vote of the houſe and the governor's order in conſequence of it came to my hands by accident.

"In the houſe of repreſentatives, Nov. 11. 1722.

"WHEREAS this houſe have been informed of repeated abuſes and miſmanagements among the officers now in pay, tending greatly to the diſhonour and damage of the government, and are deſirous to uſe all proper and ſuitable methods for the full diſcovery thereof.——And, to effect the ſame, have ſent a committee from the houſe to enquire into theſe rumors and report how they find things.——We the repreſentatives do moſt earneſtly deſire your excellency's orders, by the ſame committee to, the commanding officer and all others in command there, to pay all proper deference to the vote and order of this houſe reſpecting that matter.

John Clarke, ſpeaker."

"BOSTON, Nov. 17. 1722. } To the officer commanding in chief at the eaſtward.

"I do hereby give orders to the commanding officers and all other inferior officers to pay deference to the committee, and do expect that the committee lay firſt before me their report as captain general and, afterwards, upon the deſire of the houſe of repreſentatives, it ſhall be laid before them.

Samuel Shute."

THE houſe expected the governor would complain of them for uſurping a military power, and might refuſe to part with the original votes or orders by which he had ſignified his conſent to it, the condition not preceding the exerciſe of ſuch power.

Soon

SOON after (Dec. 18th) Col. Walton came to town and the houſe ſent their committee to deſire the governor to direct him to attend the houſe, the next morning, but the governor refuſed to give ſuch orders, and told the committee that, if his officers were to anſwer for their conduct, it ſhould be before the whole court. They then ſent their door keeper and meſſenger to Walton, to let him know the houſe expected his attendance. He went immediately, but refuſed to give any account of his proceedings, without leave from the governor. The next day, Walton was ordered to appear before the whole court, and the governor ſent a meſſage by the ſecretary, to acquaint the houſe, that they might then aſk any queſtions they thought proper, relative to his conduct, but they reſolved, that their intent, in ſending for him, was that he ſhould appear before them. The next day, he ſent another meſſage to acquaint the houſe that Walton was then before the governor and council, with his journal and if the houſe inclined to it he deſired them to come up, and aſk any queſtions they thought proper. They returned for anſwer, that they did not think it expedient, for they looked upon it not only their privilege, but duty, to demand, of any officer in the pay and ſervice of the government, an account of his management, while employed by the publick. 1722.

THIS perhaps, in general, was not the cauſe of diſpute, but the queſtion was, whether he was culpable for obſerving the orders which the governor had given contrary to the declared mind and order of the houſe. They then paſſed an order for Walton, forthwith to lay his journal before the houſe. This was their laſt vote relative to this affair, whilſt the governor was in the province. He had, without making it public, obtained his majeſty's permiſſion to leave the province and go to England. The prejudice, in the minds of the common people, increaſed every day. It was known to his friends, that as he ſat in one of the chambers of his houſe, the window and door of a cloſet being open, a bullet entered,

through

1722. through the window and door paſſages, and paſſed very near him. If ſome thought this a mere accident, yet, as he knew he had many virulent enemies, he could not be without ſuſpicion of a wicked deſign, but his principal intention, in going home, was to repreſent the conduct of the houſe, to call them to anſwer before his majeſty in council, and to obtain a deciſion of the points in controverſy, and thereby to remove all occaſion or pretence for further diſputes. His departure was very ſudden. The Seahorſe man of war, Captain Durell, lying in Nantaſket, bound to Barbados to convoy the Saltortugas fleet, the governor went on board her Dec. 27th intending to go from Barbados, the firſt opportunity, for London. Not one member of the court was in the ſecret, nor indeed any perſon in the province except two or three of his domeſticks. The wind proved contrary, for three or four days, during which, the owners of the ſhip Ann, Capt. Finch, which was then loading for London, by employing a great number of hands, had her fitted for the ſea and ſent her to Nantaſket and offered the governor his paſſage in her and he went on board and ſailed the firſt of January.

UPON a review of this controverſy with governor Shute, I am apprehenſive ſome of my readers will be apt to doubt the impartiality of the relation. Such ſteps and ſo frequent by one party, without ſcarce any attempts by the other, are not uſual, but I have made the moſt diligent ſearch into the conduct of the governor, as well as the houſe, and I am not ſenſible of having omitted any material fact, nor have I deſignedly given a varniſh to the actions of one party, or high colouring to thoſe of the other. Some will ſay, it was unneceſſary to publiſh to the world tranſactions which tend to ſet the country in an unfavorable light. I profeſs to give a true relation of facts. I ſee no difference between publiſhing falſe facts for truth and omitting any which are material for the forming a juſt conception of the reſt. Col. Shute had the character of being humane

humane, friendly and benevolent, but ſomewhat warm and ſudden upon provocations received, was a lover of eaſe and diverſions, and for the ſake of indulging his inclinations, in thoſe reſpects, would willingly have avoided controverſy with particular perſons or orders of men in the government; but it was his misfortune to arrive when parties ran high and the oppoſition had been violent. With great ſkill in the art of government, it might not have been impoſſible for him to have kept both parties in ſuſpence, without intereſting himſelf on either ſide, until he had broke their reſpective connections or the animoſity had ſubſided; but, void of art, with great integrity, he attached himſelf to that party, which appeared to him to be right, and made the other his irreconcilable enemies. His negativing Mr. Cooke, when choſe to the council, was no more than what he had an undoubted right to do by charter, but the refuſal to accept him as ſpeaker, perhaps, was impolitic, the country in general ſuppoſing it to be an invaſion of the rights of the houſe and it would have been leſs exceptionable to have diſſolved them immediately, which he had a right to do, than to diſſolve them after an unſucceſsful attempt to enforce his negative when his right was doubtful in the province, although not ſo with the attorney and ſollicitor general, who ſuppoſed the houſe of repreſentatives claimed a privilege which the houſe of commons did not. The leading men in the houſe of repreſentatives did not think ſo. That point had not been in queſtion in England ſince the reign of King Charles the ſecond, when it was rather avoided than determined, and it was not certain that the houſe of commons in the reign of King George the firſt would more readily have given up the point than their predeceſſors in the time of King Charles. The houſe, in the other parts of the controverſy, had leſs to ſay for themſelves, and, with reſpect to the attempts upon his military authority, were glad to be excuſed by an acknowledgment of their having been in the wrong. The clipping 1722.

1722. his ſalary which, at the higheſt, would no more than decently ſupport him, was highly reſented by him, and I have heard his friends ſay, that he would have remained in the government and waited the deciſion of the other points, if the two hundred pounds, equal to about fifty pounds ſterling, the deduction made, had been reſtored.* UNDER

* "I muſt acquaint you that another thing, that gives great offence to the miniſtry, is that they hear the governor is made uneaſy in his government and yet they receive no complaints of his miſconduct or male adminiſtration. Colonel Shute is known at court and at the offices of ſtate under the character of a very worthy gentleman, and one of a ſingular good temper, fitted to make any people happy that are under his command. When therefore they find the contrary in New England, they conclude from it that we would have no governor at all from hence, but want to be independent of the crown. Now though this be a ſtrained and moſt injurious inference, yet they won't eaſily be perſuaded out of it. I could not ſatisfy my conſcience without mentioning this article, though I am ſenſible it will afford a handle to my enemies to reproach me as minding the governor's intereſt more than the country's."

Dummer's letter 23d April 1721.

"The affairs of the country are, in the opinion of all men here, in deſperate circumſtances. I was laſt night in company with the governor who has laid his memorial before the board of trade, where it was maintained that the conduct of the aſſembly in the affair of the militia was no leſs than high treaſon by the laws of England, as appeared to them by their own printed votes. Their report will in a day or two be laid before the regency, and what iſſue it will have there I will not propheſy. The governor ſhewed me the printed votes with regard to the dedication of the theſes of Harvard college, at which I could not but ſtand amazed. I ſee no hopes of ſaving the country unleſs the next general aſſembly will diſavow the proceedings of the laſt. The cry of the city here runs exceedingly againſt you, and they revive the ſtory of 1641. The governor, I aſſure you, grieves and pities you, but knows not how to help you. The blame of this whole affair is laid here to Mr C—— and one or two more who, under the notion of patriots, are like to be the inſtruments of the loſs of that which is one of the deareſt things to you in the world. In what light they will appear to poſterity they will do well to conſider. What remains is only to condole with you the dark ſtate of your affairs."

Extract of a letter from Mr. Neale author of the hiſtory of New-England.

UNDER an abſolute monarch the people are without ſpirit, wear their chains deſpairing of freedom. A change of maſters is the ſum of their hopes and, after inſurrections and convulſions, they ſtill continue ſlaves. In a government founded upon the principle of liberty as far as government and liberty can conſiſt, ſuch are the ſweets of liberty, that we often ſee attempts for a greater degree of it than will conſiſt with the eſtabliſhed conſtitution, although anarchy, the greateſt and worſt of tyrannies may prove the conſequence, until the eyes of the people are opened and they ſee the neceſſity of returning to their former happy ſtate of government and order. 1722.

THE lieutenant governor took the chair, under the diſadvantage of being obliged to maintain the ſame cauſe which had forced his predeceſſor out of it. Perſonal prejudice againſt the governor was the cauſe of aſſuming rights reſerved by charter to the crown. The cauſe now ceaſed, but power once aſſumed is not willingly parted with. Mr. Dummer had demeaned himſelf very diſcretely. His attachment to the cauſe of the governor loſt him ſome friends and proved a prejudice to him and to his ſucceſſors, for it had been uſual to make an annual grant or allowance to the lieutenant governor, in conſideration of his being at hand, or as they expreſſed it, ready to ſerve the province, in caſe of the governor's abſence, but, after the two or three firſt years from his arrival, they withheld it. Without any mention of the unhappy ſtate of affairs, in a ſhort ſpeech to the two houſes, he let them know that he would concur with them in every meaſure for his majeſty's ſervice and the good of the province. An aged ſenator, Mr. Sewall, the only perſon alive who had been an aſſiſtant under the old charter, addreſſed himſelf to the lieutenant governor with great gravity and ſimplicity, in primitive ſtile, which, however obſolete, may be worth preſerving. "If your honor and the honorable board pleaſe to give me leave I would ſpeak a word or two, upon this ſolemn

1722. occaſion. Although the unerring providence of God has brought your honor to the chair of government, in a cloudy and tempeſtuous ſeaſon, yet you have this for your encouragement, that the people you have to do with are a part of the Iſrael of God, and you may expect to have of the prudence and patience of Moſes communicated to you, for your conduct. It is evident, that our almighty saviour counſelled the firſt planters to remove hither and ſettle here and they dutifully followed his advice, and therefore he will never leave nor forſake them, nor theirs; ſo that your honor muſt needs be happy in ſincerely ſeeking their happineſs and welfare, which your birth and education will incline you to do. *Difficilia quæ pulchra.* I promiſe my ſelf, that they who ſit at this board will yield their faithful advice to your honor, according to the duty of their place."

THE houſe thought it neceſſary to take immediate meaſures for their defence and vindication in England. The governor had mentioned nothing more to the lieut. governor than, that he was embarked and intended to return to his government early in the fall. This, the lieutenant governor communicated to the council and the council to the houſe. They ſent a committee immediately to the lieutenant governor, to pray him to inform them what he knew of the governor's intended voyage; but he could tell them no more. They then appointed another committee "to prepare and lay before the houſe what they think proper to be done in this critical juncture, in their juſt and neceſſary vindication at the court at home," and a ſhip, Capt. Clark, then ready to ſail for London, was detained until the diſpatches were ready. Anthony Sanderſon, a merchant of London, had been recommended by Mr. Popple, of the plantation office, in a letter to the ſpeaker, as a proper perſon for the province agent. To him the houſe ſent their papers, to be improved as they ſhould order.*

THE

* In November 1722 died at Salem Daniel Epps, Eſq; of the council.

THE houſe was loth, ſuddenly, to recede and, the day after the governor ſailed, they appointed a committee, to join with a committee of council, to conſider of proper ways, for carrying into execution the report of a committee of war. This was the province of the captain general and the council refuſed a concurrence. The houſe then paſſed another vote, proteſting againſt carrying on an offenſive war unleſs Walton, the colonel, and Moody, the major, ſhould be removed and other ſuitable perſons appointed. Before the council paſſed upon this vote, the two obnoxious perſons were prevailed upon to write to the lieutenant governor and deſire a diſmiſſion, provided they might be paid their wages, and, the letters being communicated to the council, they paſſed another vote deſiring the lieutenant governor to diſmiſs the officers, agreeable to the letters received from them. This vote, the houſe non-concurred and inſiſted upon their own vote, which the council then non-concurred. The houſe then paſſed a reſolve, that, unleſs Walton and Moody were diſmiſſed, they ſhould be neceſſitated to draw off part of the forces, and ſent their reſolve 'to be laid upon the council table.' The lieutenant governor, by a meſſage, let the houſe know, that the king had appointed him general of the forces and that he, only, had the power to draw them off, and added, that he expected all meſſages from the houſe ſhould be properly addreſſed to him, otherwiſe he ſhould pay no regard to them. The houſe were ſenſible they had gone too far and appointed a committee to wait upon the lieutenant governor, to deſire they might have leave to withdraw their reſolve and declared that, however expreſſed, they intended only that they would not vote any further pay and ſubſiſtence. They perſiſted, however, in their refuſal to provide for the pay of the two officers, whoſe diſmiſſion they required, nor would they make proviſion for further carrying on the war until other officers were appointed. 1725.

1723. AMONG the other inſtances of additional power to the houſe they had, by degrees, acquired from the governor and council the keys of the treaſury and no monies could be iſſued without the vote of the houſe for that purpoſe. This is no more than ſome colonies, without charters claim and enjoy, but by the charter, all monies are to be paid out of the treaſury 'by warrant' from the governor with advice and conſent of the council. The right of the houſe to originate all acts and orders for raiſing monies from the people and to appropriate ſuch monies to ſuch ſervices as they thought proper, was not diſputed, but they went further and would not admit that payment ſhould be made for ſuch ſervices until they had judged whether they were well performed and had paſſed a ſpecial order for ſuch payment. Thus they kept every officer dependent, and Walton, becauſe he had not obſerved their orders to go to Penobſcot, but had conformed to the governor's orders, from whom he derived all the authority he had to march any where, was denied his pay. Other matters were alledged againſt Walton in the courſe of the diſpute, but this ſeems to have been the principal.

THE expoſed ſtate which the frontiers muſt have been in, if the forces had been drawn off, and they could not be kept there without pay, induced the lieutenant governor to diſmiſs Walton and to appoint Thomas Weſtbrooke colonel and commander in chief, whereupon an eſtabliſhment was ſettled by the houſe, præmiums were granted for Indian ſcalps and priſoners, and an end was put to the ſeſſion.

THE Indians, we have obſerved, were inſtigated by the French to begin the war. The old men were averſe to it. Rallé, with difficulty, prevailed upon the Norridgewocks. The Penobſcots were ſtill more diſinclined and, after hoſtilities began, expreſſed their deſires of an accommodation. The St. Francois Indians, who lived upon the borders of Canada, and the St. John's as alſo the Cape-Sable Indians were ſo remote

as

as not to fear the deſtruction of their villages by the 1723.
Engliſh. They mixed with the Norridgewocks and Penobſcots and made the war general. In the latter part of July the enemy ſurprized Canſo and other harbours near to it and took 16 or 17 ſail of fiſhing veſſels, all belonging to the Maſſachuſets. Governor Phillips happened to be at Canſo and cauſed two ſloops to be manned, partly with volunteer ſailors from merchants veſſels which were loading with fiſh, and ſent them, under the command of John Eliot of Boſton and John Robinſon of Cape Ann, in queſt of the enemy. Eliot, as he was ranging the coaſt, eſpied ſeven veſſels in a harbour called Winnepaug and concealed all his men, except four or five, until he came near to one of the veſſels, which had about 40 Indians aboard who were in expectation of another prize falling into their hands. Aſſoon as he was within hearing, they hoiſted their pendants and called out, ſtrike Engliſh dogs and come aboard for you are all priſoners. Eliot anſwered, that he would make all the haſte he could. Finding he made no attempt to eſcape, they began to fear a tartar and cut their cable, with intent to run aſhore, but he was too quick for them and immediately clapped them aboard. For about half an hour they made a brave reſiſtance, but, at length, ſome of them jumping into the hold, Eliot threw his hand granadoes after them, which made ſuch havock, that all which remained alive took to the water, where they were a fair mark for the Engliſh ſhot. From this or a like action, probably took riſe, a common expreſſion among Engliſh ſoldiers and ſometimes Engliſh hunters who, when they have killed an Indian, make their boaſt of having killed a black duck. Five only reached the ſhoar.

ELIOT received three bad wounds and ſeveral of the men were wounded and one killed. Seven veſſels, with ſeveral hundred quintals of fiſh, and fifteen of the captives were recovered from the enemy. They had ſent many of the priſoners away and nine they had killed in cold blood. The Nova-Scotia Indians had the character of being more ſavage and cruel than the other nations. ROBINSON

1723. ROBINSON retook two veſſels and killed ſeveral of the enemy. Five other veſſels the Indians had carried ſo far up the bay, above the harbour of Malagaſh, that they were out of his reach and he had not men ſufficient to land, the enemy being very numerous.

THE loſs of ſo many men enraged them and they had determined to revenge themſelves upon the poor fiſhermen, above twenty of whom yet remained priſoners, at Malagaſh harbour, and they were all deſtined to be ſacrificed to the manes of the ſlain Indians. The powowing and other ceremonies were performing, when Capt. Blin, in a ſloop, appeared off the harbour and made the ſignal or ſent in a token which had been agreed upon between him and the Indians, when he was their priſoner, ſhould be his proteſtion. Three of the Indians went aboard his veſſel and agreed for the ranſom both of veſſels and captives, which were delivered to him and the ranſom paid. In his way to Boſton he made priſoners of three or four Indians near Cape-Sables and, about the ſame time, Capt. Southack took two canoes with three Indians in each, one of which was killed and the other five brought to Boſton.

THIS Nova-Scotia affair proved very unfortunate for the Indians. The Maſſachuſets frontiers afforded them leſs plunder, but they were in leſs danger. On the 16th of September, between four and five hundred Indians were diſcovered upon Arowſick iſland, by a party of ſoldiers employed as a guard to the inhabitants while at their labour. They immediately made an alarm, by firing ſome of their guns, and the inhabitants of the iſland, by this means, had ſufficient notice to ſhelter themſelves in the fort or garriſon houſe and alſo to ſecure part of their goods, before the enemy came upon them.

THEY fired, ſome time, upon the fort and killed one man, after which they fell to deſtroying the cattle, about 50 head, and plundering the houſes, and ſet fire to 26 houſes, the flames of which the owners beheld from the fort, lamenting the inſufficiency of their numbers to ſally out and prevent the miſchief.

THESE

THESE were the Indians which put a ſtop to the march to Penobſcot.† There were in the fort about 40 ſoldiers, under Capt. Robert Temple and Capt. Penhallow. Capt. Temple was a gentleman, who came over from Ireland with an intent to ſettle the country with a great number of families from the north of Ireland, but this rupture with the Indians broke his meaſures and, having been an officer in the army, Col. Shute gave him a command here. Walton and Harman, upon the firſt alarm, made all the diſpatch they could and, before night, came to the iſland in two whaleboats with 30 men more. With their joint force the Engliſh made an attempt to repel the enemy, but the diſproportion in numbers was ſuch that, in a buſh fight or behind trees, there was no chance and the Engliſh retreated to the fort. The enemy drew off the ſame night and, paſſing up Kennebeck river, met the province ſloop and firing upon her killed the maſter, Bartholomew Stretton, and then made an attempt upon Richmond fort, and from thence went to the village of Norridgewock, their head quarters. 1723.

A man was killed at Berwick, which was the laſt miſchief done by the enemy this firſt year of the war.

WHEN the general court met in May,* next year, no advice had been received of any meaſures taken by the governor in England. The houſe choſe their ſpeaker and placed him in the chair without preſenting him to the lieut. governor, which he took no notice of. They continued their claim to a ſhare in the direction of the war and inſiſted, that if any propoſals of peace ſhould be made by the Indians, they ſhould be communicated to the houſe and approved by them. They repeated alſo a vote for a committee of the two houſes, to meet in the receſs of the court and to ſettle plans for managing the affairs of the war, which the lieut. governor was to carry into execution, but in this the council again nonconcurred.

† Page 281.

* Col. Byfield, who had been repeatedly refuſed by Gov. Shute, being this year again choſen to the council, the lieut. governor thought fit to refuſe his conſent alſo.

1723. curred. The lieutenant governor's ſeal being affixed to a belt given to the delegates from the Iroquois, who came to Boſton to a conference, the houſe paſſed a reſolve "that the ſeal be defaced and that the ſeal of the province be affixed to the belt, as the committee of the two houſes have agreed," and ſent the reſolve to the council for their concurrence. The council, inſtead of concurring, voted, as well they might, that the reſolve contained juſt matter of offence and therefore they deſired the houſe to withdraw it. This produced another reſolve from the houſe ſtill higher, "that the affixing a private ſeal,† contrary to the agreement of a committee, was a high affront and indignity to them, and therefore they very juſtly expected the adviſers and promoters thereof to be made known to the houſe. There was a double error in this tranſaction of the houſe, the lieutenant governor having the unqueſtionable right of ordering the form of proceeding in treaties or conferences of this kind, and the houſe having no authority to direct the king's ſeal to be applied to any purpoſe, the governor being the keeper of the ſeal, and although in common parlance, called the province ſeal, which I ſuppoſe led to the miſtake yet is properly ſpeaking the king's ſeal for the uſe of the province.

THE lieutenant governor took no publick exception to any votes of the houſe this ſeſſion, which we muſt preſume to be owing to his apprehenſions that, in a ſhort time, a full conſideration would be had in England of matters of the ſame nature during Col. Shute's adminiſtration. Before the next ſeſſion of the general court (Oct. 23d) the agent Mr. Sanderſon tranſmitted to the ſpeaker,

† This was an equivocal expreſſion. It might be called the governor's private ſeal in contradiſtinction to the king's ſeal, of which he is the keeper, but it was uſed by the governor as a public perſon, all military commiſſions, treaties, &c. being in the name of the governor and under his own ſeal, by virtue of authority derived from the crown. Civil commiſſions and other inſtruments, in the king's name and with the governor's teſt, have the king's ſeal, appointed by him for the province, affixed to them.

ſpeaker, copy of the heads of complaint exhibited againſt 1723.
the houſe for encroaching upon his majeſty's prerogative in ſeven inſtances.

"1ſt, IN their behaviour with reſpect to the trees reſerved for maſts for the royal navy,

2d, FOR refuſing to admit the governor's negative upon their choice of a ſpeaker.

3d, ASSUMING power in the appointment of days for faſting and thankſgiving.

4th, ADJOURNING themſelves to a diſtant day by their own act.

5th, DISMANTLING forts and directing the artillery and warlike ſtores to other than the cuſtody of the captain general or his order.

6th, SUSPENDING military officers and refuſing their pay.

7th, APPOINTING committees of their own to direct and muſter his majeſty's forces."

THE houſe voted the complaint groundleſs, and ordered one hundred pounds ſterling to be remitted Sanderſon, to enable him to employ council to juſtify the proceedings of the houſe. The vote being ſent to the council was unanimouſly nonconcurred.

THE houſe then prepared an anſwer to the ſeveral articles of complaint and an addreſs to the king, to which they likewiſe deſired the concurrence or approbation of the council, but they were diſapproved and ſent back with a vote or meſſage that "in faithfulneſs to the province and from a tender regard to the houſe of repreſentatives, the board cannot but declare and give as their opinion, that the anſwer is not likely to recommend this government and people to the grace and favor of his majeſty, but on the contrary, has a tendency to render us obnoxious to the royal diſpleaſure."

THE houſe, however, ordered the anſwer and addreſs to be ſigned by the ſpeaker and forwarded to Mr. Sanderſon, to be improved as they ſhould order.

THE

1723. THE council, thereupon prepared a ſeperate addreſs to his majeſty and tranſmitted it to the governor, The nonconcurrence of council, with theſe meaſures of the houſe, was reſented and the houſe deſired to know what part of their anſwer had a tendency to render the government and people obnoxious. Here the council, very prudently, avoided engaging in controverſy with the houſe. "It was not their deſign to enter into a detail, but only to intimate their opinion, that conſidering the preſent circumſtances of affairs, ſome better method might be taken than an abſolute juſtification." They had ſhewn their diſſatisfaction with the conduct of the houſe, in every article which furniſhed matter for the complaint, except that of the ſpeaker, and did all in their power to prevent them, but, now this conduct was impeached, the arguments uſed by the council in a diſpute with the houſe might be ſufficient to juſtify the council and ſet their conduct in an advantageous light, but they would ſtrengthen and increaſe the prejudice againſt the country in general. This was an inſtance of public ſpirit worthy of imitation.

THE houſe then reſolved "that being apprehenſive that the liberties and privileges of the people are ſtruck at by governor Shute's memorial to his majeſty, it is therefore their duty as well as intereſt to ſend ſome ſuitable perſon or perſons from hence, to uſe the beſt method that may be to defend the conſtitution and charter privileges." They had no power over the treaſury, without the council, and therefore ſent this vote for concurrence, but it was refuſed and the following vote paſſed in council inſtead of it. "The liberties and privileges of his majeſty's good ſubjects of this province being in danger, at this preſent critical conjuncture of our public affairs at the court of Great-Britain, and it being our duty as well as intereſt to uſe the beſt method that may be in defence of the ſame, and whereas Jeremiah Dummer, Eſq; the agent of this court, is a perſon

of great knowledge and long experience in the affairs of the province, and has greatly merited of this people, by his printed defence of the charter, and may reaſonably be ſuppoſed more capable of ſerving us, in this exigence, than any perſon that may be ſent from hence, voted, that the ſaid Mr. agent Dummer be directed to appear in behalf of the province, for the defence of the charter, according to ſuch inſtructions as he ſhall receive from this court." This vote plainly intimated, that by the late conduct of the houſe the charter of the province was in danger, but the houſe ſeem to have overlooked it and concurred with an amendment, "that Mr. Sanderſon and a perſon ſent from hence be joined with Mr. Dummer." The council agreed, that a perſon ſhould be ſent home, but refuſed to join Sanderſon. Before the houſe paſſed upon this amendment, they made a further trial to obtain an independency of the council and voted, that there ſhould be paid out of the treaſury, to the ſpeaker of the houſe, three hundred pounds ſterling, to be applied as the houſe ſhould order. Near three weeks were ſpent in altercations upon this ſubject, between the council and the houſe, at length it was agreed that one hundred pounds ſhould be at the diſpoſal of the houſe and two hundred to be paid to ſuch agents as ſhould be choſen by the whole court. The houſe were in arrears to Sanderſon, which they wanted this money to diſcharge, and then were content to drop him.* 1723.

THE

* I have a paper which I ſuppoſe was given to the lords chief juſtices and the attorney and ſollicitor general, before the draught of the province charter was ſettled, and which contains a variety of propoſals for alterations and additions, each of which are marked in the margin with a hand that reſembles Sir George Treby's, ſome are ſaid to be *already done*, others marked *Qu.* ſome *intended* and ſome *to be propoſed*, among the latter I find the following. "The aſſembly or repreſentatives of the people to have power to appoint and maintain agents on their behalf in England, allowing them ſix hundred pounds per annum, though the governor ſhould not conſent thereunto."

1723. THE manner of chuſing civil officers had been by a joint vote or ballot of council and houſe. This gives a great advantage to the houſe who are four times the number of the board. But to be more ſure of the perſon the majority of the houſe were fond of, they choſe Mr. Cooke for agent and ſent the vote to the board for concurrence. The council non-concurred and inſiſted on proceeding in the uſual way, which the houſe were obliged to comply with. The choice, however, fell upon the ſame perſon and he ſailed for London the 18th of January.

COL. Weſtbrook with 230 men ſet out from Kenebeck the 11th February this year, with ſmall veſſels and whale-boats, and ranged the coaſt, as far eaſt as Mount Deſart. Upon his return, he went up Penobſcot river where, about 32 miles from the anchoring place of the tranſports, he diſcovered the Indian caſtle or fortreſs, walled with ſtockadoes, about 70 feet in length and 50 in breadth, which incloſed 23 well finiſhed wigwams. Without, was a church 60 feet long and 30 broad, very decently finiſhed within and without, alſo a very commodious houſe in which the prieſt dwelt. All was deſerted, and all the ſucceſs attending this expedition was the burning the village. The forces returned to St. Georges the 20th of March.

CAPTAIN Harman was intended, with about 120 men, for Norridgewock, at the ſame time, and ſet out the 6th Feb. but the rivers were ſo open and the ground ſo full of water, that they could neither paſs by water, nor land and, having with great difficulty reached to the upper falls of Amaſcoggin, they divided into ſcouting parties and returned without ſeeing any of the enemy.

AN attempt was made to engage the ſix nations and the Scatacook Indians in the war, and commiſſioners* were ſent to Albany impowered to promiſe a bounty for every ſcalp if they would go out againſt the enemy, but they had no further ſucceſs than a propoſal to ſend a large number of delegates to Boſton.

THE

* William Tailer and Spencer Phips, Eſq'rs.

THE commiſſioners for Indian affairs in Albany had the command of the ſix nations and would not have ſuffered them to engage in war if they had inclined to it. The Maſſachuſets commiſſioners were amuſed and a large ſum was drawn from the government in valuable preſents to no purpoſe. No leſs than ſixty three Indians came to Boſton, Auguſt 21ſt, the general court then ſitting. A very formal conference was held with them, in the preſence of the whole court, but the delegates would not involve their principals in war; if any of their young men inclined to go out, with any parties of the Engliſh, they were at liberty and might do as they pleaſed. Two young fellows offered their ſervice and were ſent down to fort Richmond on Kenebeck river. Capt. Heath the commander ordered his enſign (Coleby) and three of the garriſon to go up the river with them. After they had travelled a league from the fort they judged by the ſmell of fire, that a party of the enemy muſt be near. The Mohawks would go no further until they were ſtrengthened by more men and ſent to the fort for a whale-boat, with as many men as ſhe could carry. Thirteen men were ſent and, ſoon after they had joined the firſt party, about thirty of the enemy appeared and, after a ſmart ſkirmiſh, fled to their canoes, carrying off two of their company dead or ſo badly wounded as to be unable to walk, and leaving their packs behind. Coleby, who commanded the party, was killed and two others wounded. The Mohawks had enough of the ſervice and could not be prevailed on to tarry any longer and were ſent back to Boſton. 1723.

SMALL parties of the enemy kept the frontiers in conſtant terror and now and then met with ſucceſs.

IN April, they killed and took eight perſons at Scarborough and Falmouth. Among the dead, was the ſerjeant of the fort, Chubb, whom the Indians took to be capt. Harman and no leſs than 15 of them aimed at him, at the ſame time, and lodged eleven bullets in his body. This was lucky for the reſt, many more eſcaping to the

fort

1723. fort than would otherwiſe have done. In May, they killed two at or near Berwick, one at Wells and two travelling between York and Wells. In June, they came to Roger Dering's garriſon, at Scarborough, killed his wife and took three of his children, as they were picking berries, and killed two other perſons. In July, Dominicus Jordan, a principal inhabitant and proprietor of Saco, was attacked in his field, by five Indians, but keeping his gun conſtantly preſented, without firing, they did not care to cloſe in with him and after receiving three wounds he recovered the garriſon. In Auguſt, the enemy appeared weſtward and, the 13th killed two men at Northfield and, the next day, a father and four of his ſons, making hay in a meadow at Rutland, were ſurprized by about a dozen Indians. The father eſcaped in the buſhes, but the four ſons fell a prey to the enemy. Mr. Willard, the miniſter of Rutland, being abroad, armed, fell into their hands alſo, having killed one and wounded another before he was ſlain himſelf. The laſt of the month, they killed a man at Cochecho and killed or carried away another at Arundel. The eleventh of October, about 70 of the enemy attacked the blockhouſe above Northfield and killed and wounded four or five of the Engliſh. Col. Stoddard marched immediately with 50 men from Northampton to reinforce Northfield, 50 men belonging to Connecticut having been drawn off the day before. Juſtice ſhould be done to the government of Connecticut. Their frontiers were covered by the Maſſachuſets and, if they had not contributed to the charge of the war, it was not probable that the Maſſachuſets people would have drawn in and left Connecticut frontiers expoſed. Nevertheleſs, they generally, at the requeſt of the Maſſachuſets, ſent forces, every year during the ſummer, in this and former wars, and paid their wages, the proviſions being furniſhed by this government.

In October, the enemy ſurprized one Cogſwell and a boat's crew which were with him at Mount Defart.

December

December 25th, about ſixty Indians laid ſiege to the fort at Muſcongus or St. Georges. They ſurprized and took two of the garriſon, who informed them the fort was in a miſerable condition, but the chief officer there, — Kennedy, being a bold reſolute man, the garriſon held out until Col. Weſtbrook arrived, with force ſufficient to ſcatter the beſiegers and put them to flight. 1723.

THIS ſummer alſo, July 14th, the Indians ſurprized one Capt. Watkins, who was on a fiſhing voyage at Canſo, and killed him and three or four of his family upon Durell's iſland.

DOUGLASS and other writers applaud the adminiſtration for conducting this war with great ſkill. The French could not join the Indians, as in formers wars. Parties of the Engliſh kept upon the march, backwards and forwards, but ſaw no Indians. Capt. Moulton went up to Norridgewock and brought away ſome books and papers of the jeſuit Rallé, which diſcovered that the French were the inſtigators of the Indians to the war, but he ſaw none of the enemy. He came off without deſtroying their houſes and church. Moulton was a diſcreet, as well as brave, man, and probably imagined this inſtance of his moderation would provoke, in the Indians, the like ſpirit towards the Engliſh.†

† Doctor Increaſe Mather, who made a conſiderable figure in the firſt part of our hiſtory, died at Boſton Auguſt 23d, 1723, in the 85th year of his age. He had been a preacher 66 years, and a miniſter of the ſame church 62 years together, was many years preſident of Harvard college, but rendered himſelf moſt conſpicuous in the character of agent for the province in England, where his labours and ſervices for ſeveral years were very great and his reward very ſmall.

Auguſt 25. A Nipmug Indian, John Quittamug, came to Boſton and was entertained by ſeveral gentlemen who accounted him a great prodigy. Forty years before, he had been remarked as an old Indian and muſt now have been above 112 years of age.

1724. THE next year was unfavorable to the Engliſh in the former part of it, and our loſſes, upon the whole, exceeded thoſe of the enemy; but a ſucceſsful ſtroke or two againſt them, in the courſe of the year, made them weary of war and were the means of an accommodation. The 23d of March they killed —— Smith, ſerjeant of the fort at Cape Porpoiſe. In April one Mitchell was killed at Black-point and two of his ſons taken, and about the ſame time John Felt, William Wormwell and Ebenezer Lewis were killed at a ſaw mill on Kennebeck river, and one Thomſon at Berwick met with the ſame fate in May, and one of his children was carried into captivity, another child was ſcalped and left on the ground for dead, but ſoon after was taken up and carried home alive. In the ſame month, they killed elder Knock, at Lamprey river, George Chapley and a young woman at Oyſter-river, as they were going home from public worſhip, and took priſoners a man and three boys at Kingſton. The beginning of June a ſcout of 30 men, from Oyſter-river, were attacked before they left the houſes, and two men were ſhot down. The reſt ran upon the Indians and put them to flight, leaving their packs and one of their company who was killed in the ſkirmiſh. One Engliſhman was killed and two taken priſoners at Hatfield, another, with a friend Indian and their horſes. were killed between Northfield and Deerfield.

THIS

age. He conſtantly affirmed that in the year 1630, upon a meſſage from the Engliſh that they were in want of corn, ſoon after their arrival, he went with his father to Boſton and carried from the Nipmug country a buſhel and an half of corn all the way upon his back, that there was then only one cellar began in the town and that ſomewhere near the common. He was in good health, his underſtanding and memory intire, and travelled on foot 10 miles a day. He lived near the town of Woodſtock. His journey to Boſton proved as fatal to him as old Thomas Parr's journey to London, ſurviving it a very ſhort time after his return home, having been feaſted by ſome of the principal gentlemen here as Parr had been at London.

THIS month, news was brought to Boſton of the loſs 1724.
of Capt. Joſiah Winſlow* and 13 of his company, belonging to the fort at St. George's river. There went out 17 men in two whaleboats, April 30. The Indians, it ſeems, watched their motions and waited the moſt convenient time and place to attack them. The next day, as they were upon their return, they found themſelves, on a ſudden, ſurrounded with 30 canoes, whoſe complement muſt be an hundred Indians. They attempted to land, but were intercepted, and nothing remained but to ſell their lives as dear as they could. They made a gallant defence, and the bravery of the captain was, in an eſpecial manner, applauded. Every Engliſhman was killed. Three Indians, I ſuppoſe of thoſe called the Cape-Ann Indians, who were of the company, made their eſcape and carried to the fort the melancholy news.

ENCOURAGED by this ſucceſs, the enemy made a ſtill greater attempt, by water, ſeized two ſhallops at the Iſles of Shoals and, afterwards, other fiſhing veſſels in other harbours and, among the reſt, a large ſchooner with two ſwivel guns, which they manned and cruized about the coaſt. A ſmall force was thought ſufficient to conquer theſe raw ſailors and the lieutenant governor commiſſioned Doctor Jackſon, of the province of Main, in a ſmall ſchooner with 20 men, and Silvanus Lakeman, of Ipſwich, in a ſhallop with 16 men, to go in queſt of them. They ſoon came up with them and, not long after, returned with their rigging much damaged by the ſwivel

* Capt. Winſlow was a young gentleman who had juſt left the college, but having a mind formed for action engaged in the ſervice of his country and loſt his life. His father was then of the council. His grandfather, for many years, and his great grandfather for two years, were governors of Plimouth colony. The latter, as we obſerved in the firſt part of our hiſtory, died a commiſſioner under Cromwell. General Winſlow, who had the command of the provincial forces at Fort Edward in 1757, is younger brother to Capt. Winſlow and poſſeſſes the ſame martial ſpirit.

1724 guns, and Jackſon and ſeveral of his men wounded, and could give no other account of the enemy than that they had gone into Penobſcot.

THE Seahorſe man of war Capt. Durrell, being then upon the Boſton ſtation, the lieutenant, maſter and maſter's mate, each of them took the command of a ſmall veſſel with 30 men each, and went after the Indians, but, it's probable, they were ſoon tired of this new buſineſs, for they were not to be found, nor do we meet with any further intelligence about them. They took 11 veſſels, with 45 men, 22 of whom they killed, and carried 23 into captivity.

AT Groton they killed one man and left dead one of their own number. Auguſt 3d, they killed three, wounded one and made another priſoner at Rutland. The 6th, four of them came upon a ſmall houſe in Oxford, which was built under a hill. They made a breach in the roof and, as one of them was attempting to enter, he received a ſhot in his belly, from a courageous woman, the only perſon in the houſe, but who had two muſkets and two piſtols charged and was prepared for all four, but they thought fit to retreat carrying off the dead or wounded man. The 16th a man was killed at Berwick, another wounded and a third carried away. The 26th, one was killed and another wounded at Northampton and the 27th, the enemy came to the houſe of John Hanſon, one of the people called quakers, at Dover, and killed or carried away his wife, maid and ſix children, the man himſelf being at the friends meeting.*

DISCOURAGED with the ineffectual attempts to intercept the enemy, by parties of our forces marching upon the back of the frontiers, another expedition was reſolved upon, in order to ſurprize them in their principal village at Norridgewock. FOUR

* Hanſon went afterwards to Canada and redeemed his wife, three of his children and the maid. Two of his ſons were killed, a daughter of 17 years of age he was obliged to leave in their hands. The Indians would permit him to ſee and converſe with her, but would not part with her upon any terms. Diſtreſſing enough!

FOUR companies, conſiſting in the whole of 208 men, were ordered up the river Kenebeck, under Capt. Harman, Captain Moulton, Captain Bourn and lieutenant Bean. Three Indians, of the ſix nations, were prevailed with to accompany our forces. The different accounts given by the French and Engliſh of this expedition may afford ſome entertainment. Charlevoix, who I ſuppoſe was about that time in Canada and might receive there or from thence the account given by the Indians themſelves, relates it in this manner. "The 23d of Auguſt,† 1724, eleven hundred men, part Engliſh, part Indians, came up to Norridgewock. The thickets, with which the Indian village was ſurrounded, and the little care taken by the inhabitants to prevent a ſurprize, cauſed that the enemy were not diſcovered, until the very inſtant when they made a general diſcharge of their guns and their ſhot had penetrated all the Indian wigwams. There were not above fifty fighting men in the village. Theſe took to their arms and ran out in confuſion, not with any expectation of defending the place againſt an enemy who were already in poſſeſſion, but to favor the eſcape of their wives, their old men and children, and to give them time to recover the other ſide of the river, of which the Engliſh had not then poſſeſſed themſelves. 1724

"THE noiſe and tumult gave father Rallé notice of the danger his converts were in. Not intimidated, he went to meet the enemy, in hopes to draw all their attention to himſelf and ſecure his flock at the peril of his own life. He was not diſappointed. Aſſoon as he appeared, the Engliſh ſet up a great ſhout, which was followed by a ſhower of ſhot, and he fell down dead near to a croſs which he had erected in the midſt of the village, ſeven Indians, who accompanied him to ſhelter him with their own bodies, falling dead round about him. Thus died this kind ſhepherd, giving his life for his ſheep, after a painful miſſion of thirty ſeven years. The Indians, who were all in the greateſt conſternation

† 12th old ſtile.

1724. at his death, immediately took to flight and croſſed the river, ſome ſwimming and others fording. The enemy purſued them, until they had entered far into the woods, where they again gathered together to the number of an hundred and fifty.* Altho' more than two thouſand ſhot had been fired upon them, yet there were no more than thirty killed and fourteen wounded. The Engliſh, finding they had no body left to reſiſt them, fell firſt to pillaging and then burning the wigwams. They ſpared the church, ſo long as was neceſſary for their ſhamefully profaning the ſacred veſſels and the adorable body of Jeſus Chriſt, and then ſet fire to it. At length they withdrew, with ſo great precipitation that it was rather a flight, and they ſeemed to be ſtruck with a perfect panick. The Indians immediately returned to their village, where they made it their firſt care to weep over the body of their holy miſſionary, whilſt their women were looking out for herbs and plants for healing the wounded. They found him ſhot in a thouſand places, ſcalped, his ſkull broke to pieces with the blows of hatchets, his mouth and eyes full of mud, the bones of his legs fractured and all his members mangled an hundred different ways. Thus was a prieſt treated in his miſſion, at the foot of a croſs, by thoſe very men who have ſo ſtrongly exaggerated the pretended inhumanity of our Indians, who have never made ſuch carnage upon the dead bodies of their enemies. After his converts had raiſed up and oftentimes kiſſed the precious remains, ſo tenderly and ſo juſtly beloved by them, they buried him in the ſame place where, the evening before, he had celebrated the ſacred myſteries, namely, where the altar ſtood, before the church was burnt."

BESIDES the great error in the number of the Engliſh forces, there are many embelliſhments in this relation in favor of the Indians and injurious to the Engliſh. Not ſatisfied with the journal alone which wa

* He muſt mean men, women and children, if there were but 50 fighting men in all.

was given in by Capt. Harman, I took from Capt. Moulton as minute and circumſtantial an account as he could give of this affair. 1724.

THE forces left Richmond fort, on Kennebeck river, the 8th of Anguſt, O. S. The 9th, they arrived at Taconick, where they left their whaleboats, with a lieutenant and 40 of the 208 men to guard them. With the remaining forces, the 10th, they began their march, by land, for Norridgewock. The ſame evening, they diſcovered and fired upon two Indian women, one of them, the daughter of the well known Bomazeen, they killed, the other, his wife, they took priſoner. From her, they received a full account of the ſtate of Norridgewock. The 12th, a little after noon, they came near to the village. It was ſuppoſed that part of the Indians might be at their corn-fields, which were at ſome diſtance, and, therefore, it was thought proper to divide this ſmall army. Harman, with about 80 men, choſe to go by the way of the fields, and Moulton, with as many more, were left to march ſtrait to the village, which about 3 o' clock ſuddenly opened upon them. There was not an Indian to be ſeen, being all in their wigwams. Our men were ordered to advance ſoftly and to keep a profound ſilence. At length, an Indian came out of one of the wigwams and, as he was making water, looked round him and diſcovered the Engliſh cloſe upon him. He immediately gave the war whoop and ran in for his gun. The whole village, conſiſting of about 60 warriors, beſides old men, women and children, took the alarm, and the warriors ran to meet the Engliſh, the reſt fled to ſave their lives. Moulton, inſtead of ſuffering his men to fire at random through the wigwams, charged every man not to fire, upon pain of death, until the Indians had diſcharged their guns. It happened as he expected; in their ſurprize they overſhot the Engliſh and not a man was hurt. The Engliſh then diſcharged in their turn and made great ſlaughter, but every man ſtill kept his rank.

1724. The Indians fired a ſecond volley and immediately fled towards the river. Some jumped into their canoes, but had left their paddles in their houſes, others took to ſwimming and ſome of the talleſt could ford the river, which was about 60 feet over, and, the waters being low, it was no where more than ſix feet deep. The Engliſh purſued, ſome furniſhed themſelves with paddles and took to the Indian canoes which were left, others waded into the river. They ſoon drove the Indians from their canoes, into the river, and ſhot them in the water, and they conjectured that not more than fifty of the whole village landed on the other ſide, and that ſome of them were killed before they reached the woods.

THE Engliſh, then, returned to the town, where they found the jeſuit, in one of the wigwams, firing upon a few of our men, who had not purſued after the enemy. He had an Engliſh boy in the wigwam with him, about 14 years of age, who had been taken about 6 months before. This boy he ſhot through the thigh and, afterwards, ſtabbed in the body, but, by the care of the ſurgeons, he recovered. I find this act of cruelty in the account given by Harman upon oath. Moulton had given orders not to kill the jeſuit, but, by his firing from the wigwam, one of our men being wounded, a lieutenant, Jaques, ſtove open the door and ſhot him through the head. Jaques excuſed himſelf to his commanding officer, alledging that Rallé was loading his gun, when he entered the wigwam, and declared that he would neither give nor take quarter. Moulton allowed that ſome anſwer was made by Rallé which provoked Jaques, but doubted whether it was the ſame as reported, and always expreſſed his diſapprobation of the action. Mog, a famous old chief among the Indians, was ſhut up in another wigwam and firing from it killed one of the three Mohawks. His brother was ſo enraged that he broke down the door and ſhot Mog dead. The Engliſh, in their rage, followed and killed the poor ſquaw and two helpleſs children. Having cleared the village of the enemy,

enemy, they then fell to plundering and deſtroying the wigwams. The plunder of an Indian town conſiſted of but a little corn, it being not far from harveſt, a few blankets, kettles, guns, and about three barrels of powder, all which was brought away. New-England puritans thought it no ſacrilege to take the plate from an idolatrous roman catholic church, which I ſuppoſe was all the profaneneſs offered to the ſacred veſſels. There were ſome expreſſions of zeal againſt idolatry, in breaking the crucifixes and other imagery which were found there.* The church itſelf, a few years before, had been built by carpenters from New-England. Beaver and other Indian furs and ſkins ſet up the church, and a zeal againſt a falſe religion deſtroyed the ornaments of it. 1724.

HARMAN and the men who went to the cornfields did not come up till near night, when the action was over. They all, of both parties, lodged in the wigwams, keeping a guard of 40 men. The next morning, they found 26 dead bodies, beſides that of the jeſuit, and had one woman and three children priſoners. Among the dead were Bomazeen, Mog, Job, Carabeſett, Wiſſememet, and Bomazeen's ſon in law, all noted warriors. They marched, early, for Taconick, being in ſome pain for their men and whaleboats, but found all ſafe. Chriſtian, one of the Mohawks, was ſent, or of his own accord returned, after they had begun their march, and ſet fire to the wigwams and to the church and then joined the company again, The 16th they all arrived at Richmond fort. Harman went to Boſton with the ſcalps, and, being the chief in command, was made a lieutenant

* When Sir Edmund Andros was governor, in 1688, in a voyage eaſtward in the Roſe frigate, he put in to Penobſcot, and finding that Caſtine had fled he entered his houſe and ſeized and brought away a quantity of arms, ammunition and goods, which were lodged there for ſupplies to the Indian enemy, but an altar with pictures and other ornaments he left untouched. This might cauſe ſuſpicions of his being a favorer of popery, but a good proteſtant would not have been culpable for the ſame tenderneſs.

1724. lieut. colonel for an exploit in which Moulton was the principal actor, who had no diſtinguiſhing reward, except the applauſe of the country in general.† This has often been the caſe in much more important ſervices. The Norridgewock tribe never made any figure ſince this blow.

ENCOURAGED by this ſucceſs, Col. Weſtbrook was ordered to march with 300 men acroſs from Kennebeck to Penobſcot, which he performed with no other advantage than exploring the country which, before, was little known. Other parties were ordered up Amaſeconti and Amareſcoggin, and a ſecond attempt was made upon Norridgewock, but no Indians were to be found.

THE frontiers, however, continued to be infeſted. September the 6th, an Engliſh party of fourteen went from Dunſtable in ſearch of two men who were miſſing. About 30 Indians lay in wait and ſhot down ſix and took three priſoners. A ſecond party went out and loſt two of their number. The weſtern frontier ſeems to have been better guarded, for, although often alarmed, they were leſs annoyed.

THE government increaſed the præmium for Indian ſcalps and captives to one hundred pounds. This encouraged John Lovewell to raiſe a company of volun-
1725. teers, to go out upon an Indian hunting. January 5th, he brought to Boſton a captive and a ſcalp, both which he met with above 40 miles beyond Winnepeſiaukee lake. Going out a ſecond time, he diſcovered ten Indians round a fire, all aſleep. He ordered part of his company to fire, who killed three, the other ſeven, as they were riſing up, were ſent to reſt again by the other part of the company reſerved for that purpoſe. The ten ſcalps were brought to Boſton 3d of March. Emboldened by repeated ſucceſs, he made a third attempt and went out with 33 men. Upon the 8th of May, they diſcovered

† Capt. Moulton, afterwards, was, many years together, a member of the council, colonel of a regiment in the expedition to Cape-Breton in 1745, and with reputation ſuſtained the firſt military and civil offices in the county of York. He died at York, in the year 1765.

discovered an Indian upon a point of land which joined to a great pond or lake. They had some suspicion that he was set there to draw them into a snare and that there must be many Indians near, and therefore laid down their packs, that they might be ready for action, and then marched near two miles round the pond to come at the Indian they had seen. The fellow remained, although it was certain death to him and, when the English came within gun shot, discharged his piece, which was loaded with beaver shot, and wounded Lovewell and one of his men, and then immediately fell himself and was scalped. His name ought to have been transmitted as well as that of M. Curtius who jumped into the gulf or chasm, upon less rational grounds, to save his country. 1725.

The Indians, who lay concealed, seized all the English packs, and then waited their return at a place convenient for their own purpose. One of the Indians being discovered, the rest, being about 80, rose, yelled and fired and then ran on with their hatchets with great fury. The English retreated to the pond to secure their rear, and, although so unequal in numbers, continued five or six hours till night came on. Captain Lovewell, his lieutenant Farwell, and ensign Robins were soon mortally wounded and, with five more, were left dead on the spot. Sixteen escaped and returned unhurt, but were obliged to leave eight of their wounded companions in the woods without provisions, their chaplain, Mr. Fry of Andover, was one, who had behaved with great bravery and scalped one Indian in the heat of the action, but perished himself for want of relief.

One of the eight, afterwards, came in to Berwick and another to Saco. This misfortune discouraged scalping parties. But Indians, as well as English, wished to be at peace. After Rallé's death, they were at liberty to follow their inclinations. The Penobscot tribe, however, being best disposed, were first sounded. An Indian hostage and a captive were permitted, upon their parole, to go home in the winter of 1724, and they came back

to

1725. to the fort at St. George's the 9th of February, accompanied with two of the tribe, one a principal ſachem or chief. They brought an account that, at a meeting of the Penobſcots, it was agreed to make propoſals of peace. The ſachem or chief was ſent back, with the other Indian, and promiſed to return in 23 days and bring a deputation, to conſiſt of ſeveral other chiefs, with him, but Capt. Heath, having gone out upon a march from Kennebeck, acroſs the country, to Penobſcot, fell upon a deſerted village of about 50 Indian houſes, which he burned, but ſaw none of the inhabitants. The Indians, who went from St. George's, knew nothing of this action until they came home, and it ſeems to have diſcouraged them from returning according to their promiſe, and the treaty, by this means, was retarded. But upon new intimations, in June following, John Stoddard and John Wainwright, Eſq;'s were commiſſioned by the lieutenant governor and ſent down to St. George's, to treat with ſuch Indians as ſhould come in there and ſettle preliminaries of peace.

A ceſſation of arms was agreed upon* and four delegates came up, ſoon after, to Boſton and ſigned a treaty of

* The treaty had like to have been prevented by the indiſcretion of the crew of an Engliſh ſloop. July 9th, as Caſtin was at anchor near Neſkett, in a ſmall bark, with an Indian boy and an Engliſh lad, Samuel Traſk of Salem, whom Caſtin had redeemed from the Indians. The Engliſh firing upon the bark, Caſtin was obliged to quit her and with his two boys fled into the woods. The maſter of the Engliſh veſſel called to him and engaged to do him no harm, if he would come back and trade with him, which was his buſineſs there, and not only kept out a white flag but ſent him a paſſport or ſafe conduct in writing. Having by theſe aſſurances drawn him aboard his veſſels again with the two boys, they ſecured the captive and told Caſtin they would give him a bag of biſcuit for the ranſom of the captive, but that the veſſel and every thing on board was lawful prize. He was obliged, with his Indian, to quit the veſſel, which he was told was a favor, and it ſeems was ſoon repented of, for one of the Engliſh ſeized the Indian, upon which Caſtin fired and ſhot the Engliſhman dead, and then made his eſcape with the Indian into the woods. *Caſtin's letter to Mr. Dummer, 23 July 1725.* Beſides

of peace, and, the next year, the lieutenant governor in 1725.
perſon, attended by gentlemen of the court and others, and the lieutenant governor of New-Hampſhire, with gentlemen from that province, ratified the ſame at Falmouth in Caſco-bay. This treaty has been applauded as the moſt judicious which has ever been made with the Indians. A long peace ſucceeded it.†

THE pacific temper of the Indians, for many years after, cannot be attributed to any peculiar excellency in this treaty, there being no articles in it of any importance, differing from former treaties. It was owing to the ſubſequent acts of government in conformity to the treaty. The Indians had long been extremely deſirous of trading houſes to ſupply them with neceſſaries and to take off their furs, ſkins, &c. This was promiſed by governor Shute, at a conference, but the general court, at that time, would make no proviſion for the performance. Mr. Dummer promiſed the ſame thing. The court, then, made proviſion for trading houſes at St. George's, Kenebeck and Saco rivers, and the Indians ſoon found that they were ſupplied with goods upon better terms than they could have them from the French, or even from private Engliſh traders. Acts or laws were made, at the ſame time, for reſtraining private trade with the Indians, but the ſupplies, made by the province at a cheaper rate than private traders could afford, would have broke up their trade without any other proviſion, and laws would have ſignified little without that. Mr. Dummer engaged that the Indians ſhould be ſupplied with goods at as cheap rates as they were ſold in Boſton. This was afterwards conſtrued favorably for the government. The goods, being bought by wholeſale, were ſold to the Indians at the retail price, in

† Beſides Mr. Dummer, lieut. governor of Maſſachuſets, John Wentworth, Eſq; lieut. governor of New-Hampſhire, and Paul Maſcarene, Eſq; one of the council and a commiſſioner of the government of Nova-Scotia, were parties to this treaty.
In October 1725 died at Ipſwich Samuel Appleton, Eſq; of the council.

1725. in Boſton, and a ſeeming profit, by the commiſſary's account, accrued to the government; but, when the charge of trading houſes, truckmaſters, garriſons, and a veſſel employed in tranſporting goods was deducted, the province was ſtill a tributary to the Indians every year. However, it was allowed to be a well judged meaſure, tended to preſerve peace and was more reputable than if a certain penſion had been every year paid for that purpoſe.

DELEGATES from all the tribes of Indians, particularly the Norridgewocks, not having been preſent at this firſt treaty, another was thought neceſſary the next year, when the former was renewed and ratified. It was moſt acceptable to the Indians to hold their treaties near their own ſettlement and, in a proper ſeaſon of the year, it was an agreeable tour to the governors or commanders in chief and the gentlemen accompanying them.

To bring this war to a cloſe, we have paſſed over the other affairs of the government for a year or two paſt. Soon after Mr. Cooke's arrival in London governor Shute exhibited a ſecond memorial againſt the houſe of repreſentatives, for matters tranſacted after he left the province. The principal articles of complaint were the ſeveral orders relative to the forts and forces, which, he ſays, the houſe had taken out of the hands of the lieut. governor, and the affront offered to the lieut. governor in ordering his ſeal to be effaced upon the belt of wampum. Several other things ſeem to be brought in to increaſe the reſentment againſt them, as their chuſing Mr. Cooke, who had been at the head of all the meaſures complained of in the firſt memorial, for their agent; their refuſing to confer with the council upon a money bill; their endeavoring by their votes to leſſen the members of the council in the eſteem of the people; their withholding his ſalary in his abſence; and their aſſuming more and more the authority of government into their hands. The council, in this memorial

memorial, are alſo complained of, they having put their negative to the vote for chuſing Mr. Cooke, and yet, afterwards, joined in election with the houſe, when they had reaſon to ſuppoſe, by the great ſuperiority of the houſe in number, that he would be the perſon. 1725.

Mr. agent Dummer, who was to act jointly with Mr. Cooke, made an attempt to reconcile the governor to him, but he refuſed to ſee him, and the attempt offended Mr. Cooke alſo and occaſioned warm diſcourſe between him and Dummer, which cauſed the latter to refuſe to act in concert, eſpecially as Mr. Cooke had ſhewn him a private inſtruction from the houſe, by which their defence againſt the charge of invading the royal prerogative was committed to Mr. Cooke and Mr. Sanderſon, to the excluſion of Mr. Dummer.

After divers hearings upon the ſubject matter of the complaints, the reports of the attorney and ſollicitor general, of the lords committee and, finally, the determination of his majeſty in council, were all unfavorable to the houſe of repreſentatives.*

The ſeveral acts or votes of the houſe relative to the king's woods, and to the forts and forces ſeem to have been generally deemed indefenſible, the agents were adviſed to acknowledge them to be ſo, and it was ſo far relied upon, that they would be ſo acknowledged in the province, as that no ſpecial proviſion was thought neceſſary for the regulation of their future conduct, the charter being expreſs and clear. But the governor's power to negative the ſpeaker and the time for which the houſe might adjourn were points not ſo certain. What was called an explanatory charter was therefore thought neceſſary, and ſuch a charter accordingly paſſed the ſeals. By this charter, the power of the governor to negative a ſpeaker is expreſsly declared, and the power of the houſe to adjourn themſelves is limited to two days. With reſpect to the latter, perhaps, this new charter may properly enough be called explanatory, the governor

* Appendix.

1725. governor having the power, by the principal charter, of adjourning the aſſembly and yet, from the nature of the thing, it was neceſſary that the houſe, a part of that aſſembly, ſhould have the power of adjourning themſelves, for a longer or ſhorter time; but the power of negativing a ſpeaker ſeems to be a new article, wherein the charter is ſilent; ſo that whatever right it might be apprehended the king had to explain his own patents, where there was ambiguity, yet when an alteration is to be made in the charter, or a new rule eſtabliſhed in any point wherein the charter is ſilent, the acceptance of the people, perhaps, is neceſſary. This ſeems to have been the reaſon of leaving it to the option of the general court, either to accept or refuſe the explanatory charter. It was intimated at the ſame time that, if the charter ſhould be refuſed, the whole controverſy between the governor and the houſe of repreſentatives would be carried before the parliament. Had the two points mentioned in the explanatory charter, or the conduct of the houſe relative to them, been all that was to be carried into parliament, the general court, probably, would not have accepted this charter. They would have urged that it was not certain that a houſe of commons would have determined that the king, by his governor, had a right to negative the ſpeaker of a houſe of repreſentatives in the colonies, eſpecially as the attorney general had inferred this right from the right of negativing the ſpeaker of the houſe of commons; but it was their misfortune that in the other articles of complaint the houſe was generally condemned in England, the miniſtry were highly incenſed and it was feared the conſequence of a parliamentary enquiry would be an act to vacate the charter of the province. The temper of the houſe was much changed and, although there were ſeveral members who had been active in all the meaſures which brought this difficulty upon the country, ſtill reſolute to riſque all, rather than by their own act give up any one privilege, yet a major vote was carried in the houſe for

accepting

accepting the charter, and in ſuch terms as would induce one to imagine it rather the grant of a favor than the deprivation of a right.* It has been ſaid that the Engliſh are Iſlanders and therefore inconſtant. Tranſplanted to the continent they are, nevertheleſs, Engliſhmen. When we reflect upon the many inſtances of frequent ſudden changes, and from one extreme to the other, in ancient times, in the parliament of England, we may well enough expect, now and then, to meet with the like inſtances in the aſſemblies of the Engliſh colonies. This was the iſſue of the unfortunate controverſy with governor Shute, unleſs we allow that it was the occaſion alſo of the controverſy with his ſucceſſor, which is not improbable. 1725.

THE governor was offended with Mr. Dummer, for receiving grants from the court made to him for his ſervice as commander in chief, it being expected that when the governor is abſent, with leave, his ſalary ſhould be continued, one half of which, by a royal inſtruction, is to be allowed to the lieutenant governor; but the houſe took a more frugal method and made grants, of little

* January 15. 1725.

In the houſe of repreſentatives.

WHEREAS his honor the lieutenant governor hath laid before this court in their preſent ſeſſion, for their acceptance, an explanatory charter received from his grace the duke of Newcaſtle, with a copy of his majeſty's order in council concerning the ſame, wherein his majeſty has been pleaſed to confirm the charter granted by their late majeſties king William and queen Mary, in which former charter there being no expreſs mention made relating to the choice of a ſpeaker and the houſe's power of adjourning, to both which points, in the ſaid explanatory charter, his majeſty has been pleaſed to give particular directions, We his majeſty's loyal and dutiful ſubjects, being very deſirous to ſignalize our duty and obedience, which we at all times owe to his moſt excellent majeſty, have and do hereby accept of the ſaid explanatory charter, and ſhall act in conformity thereto for the future, not doubting but that we ſhall thereby recommend his majeſty's loyal and dutiful ſubjects, the inhabitants of this province, to his further moſt gracious favor and protection.

In council. Read and concurred.

Conſented to. Wm. Dummer.

1725. more than one half the governor's uſual ſalary, to the lieutenant governor immediately, any part of which he could very ill afford to ſpare from his own ſupport. His pacific meaſures and accommodation or ſuſpenſion of ſome of the controverted points might be another cauſe of coldneſs, at leaſt, between the governor and him.

ANOTHER affair occaſioned a mark of royal diſpleaſure upon the lieutenant governor. Synods had been frequent under the firſt charter, either for ſuppreſſing errors in principles, or immoralities in practice, or for eſtabliſhing or reforming church government and order, but under the new charter no ſynod had ever been convened. A convention of miniſters had been, annually, held at the time for election of the council. This might have been in many reſpects uſeful, but it was thought could not have that weight for promoting any of the forementioned purpoſes which a ſynod convened and, perhaps, their reſult ratified by the government, would have. There were divers ancient members in both houſes who had not then loſt their affection for the platform, and an application* made by the miniſters for calling

* To the very honorable William Dummer, Eſq; lieut. governor and commander in chief. To the honorable the councellors. To the honored the repreſentatives in the great and general court of his majeſty's province of the Maſſachuſets-bay aſſembled and now ſitting. A memorial and addreſs humbly preſented.

At a general convention of miniſters from ſeveral parts of the province at Boſton, May 27. 1725.

Conſidering the great and viſible decay of piety in the country and the growth of many miſcarriages, which we fear may have provoked the glorious Lord in a ſeries of various judgments wonderfully to diſtreſs us. Conſidering alſo the laudable example of our predeceſſors to recover and eſtabliſh the faith and order of the goſpel in the churches and provide, againſt what immoralities may threaten to impair them, in the way of general ſynods convened for that purpoſe, and conſidering that about forty five years have now rolled away ſince theſe churches have ſeen any ſuch conventions. It is humbly deſired that the honored general court would expreſs their concern for the intereſts of religion in the country, by calling the ſeveral churches in

calling a ſynod was granted in council, but the houſe did not concur. Afterwards, by a vote of both houſes, it was referred to the next ſeſſion, to which the lieut. governor gave his conſent. Oppoſition was made by the epiſcopal miniſters, but a doubt of ſucceſs, in the province, cauſed them to apply in England, I ſuppoſe to the biſhop of London.† The king being abroad, an inſtruction came from the lords juſtices to ſurceaſe all proceedings and the lieutenant governor received a reprimand for "giving his conſent to a vote of reference and neglecting "to tranſmit an account of ſo remarkable a tranſaction." A ſtop was put to any further proceeding in the affair nor has any attempt for a ſynod been made ſince. 1725.

in the province to meet by their paſtors and meſſengers in a ſynod, and from thence offer their advice upon that weighty caſe which the circumſtances of the day do loudly call to be conſidered.——*What are the miſcarriages whereof we have reaſon to think the judgments of heaven, upon us, call us to be more generally ſenſible, and what may be the moſt evangelical and effectual expedients to put a ſtop unto thoſe or the like miſcarriages?* This propoſal we humbly make in hopes that, if it be proſecuted, it may be followed with many deſirable conſequences worthy the ſtudy of thoſe whom God has made and we are ſo happy to enjoy as the nurſing fathers of our churches.

Cotton Mather,
In the name of the miniſters
aſſembled in their general convention.

† I muſt acquaint you that the biſhop of London has laid before the lords juſtices a written authentic copy of our miniſters memorial to the general court to impower them to meet and act in a ſynod, conſented to by the lieutenant governor, and their excellencies are very much diſpleaſed with his conduct herein. It is thought here that the clergy ſhould not meet in ſo public and authoritative a manner without the king's conſent as head of the church, and that it would be a bad precedent for diſſenters here to aſk the ſame privilege, which, if granted, would be a ſort of vying with the eſtabliſhed church. It has alſo been inſinuated that this ſynod would have come to ſome reſolutions to the prejudice of the church of England, if they had been permitted to convene. However this may be, it is certainly my duty to apprize the aſſembly of it for their better direction in the approaching ſeſſion, when, I ſuppoſe, the matter will be reſumed." *Dummer's letter, 1ſt Sept.* 1725.

1726. THE remainder of Mr. Dummer's ſhort adminiſtration was eaſy to him. The war being over, the principal ground of diſpute, the ordering the forces, ceaſed. Other affairs, relative to the treaſury, the paſſing upon accounts and the form of ſupplies he ſuffered to go on according to the claim of the houſe. Mr. Cooke, the firſt election after his return from England, May 1726, was choſe of the council. This was a mark of the houſe's approbation of his conduct in the agency, although it had not been attended with ſucceſs. The lieutenant governor did not think it convenient to offend the houſe by a negative. The ſmall allowance made him as a ſalary, about two hundred and fifty pounds ſterling per annum, he alſo acquieſced in for the ſake of peace. The governor was expected by almoſt every ſhip for a year or two together, but by ſome means or other was delayed until the ſummer of 1727, when he was upon the point of embarking, but the ſudden death of the king prevented.* The principal cauſe of delay ſeems to have been the inſufficiency of the ſalary which had been granted for his ſupport and the uncertainty whether the aſſembly would make an addition to it. †

UPON

* "I don't know when or on board what ſhip the governor intends to embark for his government. He ſays he won't go but in a man of war, for fear of meeting with a pirate, but as there is no proſpect of a king's ſhip going this year to any part of the continent, I believe, he will think better of it and take his paſſage in Capt. Cary, who will ſail in about a month." *Dummer's letter, 23d April* 1727.

† "Col. Shute having petitioned his majeſty in council to ſettle a ſuitable ſalary on him and all the ſucceeding governors of New England, the lords of the privy council, inſtead of ſending me a written meſſage to attend, as is uſual in other caſes, made a peremptory order of the 18th of February laſt, requiring me to attend their board on the Wedneſday following and not to fail on any pretence whatſoever. When I came, the lords ſent for Col. Shute to go in by himſelf, and after, for me and Mr. Newman, the agent for New-Hampſhire. They aſked whether, if his majeſty ſhould think fit to ſend Mr. Shute back again to his government, I believed the country would receive and ſupport him handſomely. To this I anſwered, that I had no

UPON the acceſſion of King George the ſecond, a 1727.
gentleman who, it is ſaid, was in particular eſteem with the king himſelf was appointed governor of New-York and the Jerſies, in the room of Mr. Burnet, whoſe adminiſtration had, in general, been very acceptable to thoſe colonies and approved in England. The biſhop, his father, had likewiſe been a moſt ſteady friend to the houſe of Hanover. Governor Burnet's fortune being reduced in the general calamity of the year 1720, he parted with a place in the revenue of £.1200 per annum and received commiſſions for theſe governments, with a view to his retrieving his fortune in a courſe of years. He thought it hard, in ſo ſhort a time, to be ſuperſeded, for although the Maſſachuſets and New-Hampſhire were given to him, yet he was to part with very profitable poſts for ſuch as, at beſt, would afford him no more than a decent ſupport, an eaſy adminiſtration for one which he foreſaw would be extremely troubleſome. He complained of his hard fate and it had a viſible effect upon his ſpirits. Col. Shute was provided for, more to his ſatisfaction than if he had returned to his government, a penſion of £.400 ſterling per annum being ſettled upon him, to be paid out of the 4½ per cent duty raiſed in the Weſt-India iſlands. The Weſt-Indians, who would perhaps have been content if it had been applied to one of their own governors who had been ſuperſeded, have taken exception to the payment of it to a governor of the northern colonies.*

no inſtructions upon this ſubject, but my private opinion was that they would, for they who had lately in ſo dutiful a manner accepted the royal explanatory charter would not fail to ſhow a proper regard to any perſon whom his majeſty ſhould pleaſe to ſend over as his repreſentative, of which my lord Townſend, particularly, expreſſed his ſatisfaction. There was not a word ſaid as to the quantum of the ſalary, but I find ſince it is ſtated at £.1000 ſterl. per annum for Maſſachuſets and 200 for New-Hampſhire, and the king will recommend it to the two provinces under his ſign manual." *Dummer's let.*

* The duties granted by Barbados and the leeward iſlands upon their own produce, to be diſpoſed of by the crown, are the only

1727. THE earthquake on the 29th of October 1727, although not confined to the Maſſachuſets, was ſo remarkable an event in providence that we may be excuſed if we give a circumſtantial account of it. About 40 minutes after ten at night, when there was a ſerene ſky and calm but ſharp air, a moſt amazing noiſe was heard, like to the roaring of a chimney when on fire, as ſome ſaid, only beyond compariſon greater, others compared it to the noiſe of coaches upon pavements and thought that of ten thouſand together would not have exceeded it. The noiſe was judged by ſome to continue about half a minute before the ſhock began, which increaſed gradually and was thought to have continued the ſpace of a minute before it was at the heighth and, in about half a minute more, to have been at an end by a gradual decreaſe. When the terror is ſo great, no dependance can be placed upon the admeaſurement of time in any perſon's mind, and we always find very different apprehenſions of it. The noiſe and ſhock of this and all earthquakes which preceded it in New-England were obſerved to come from the weſt or northweſt and go off to the eaſt or ſouth eaſt. At Newbury and other towns upon Merrimack river the ſhock was greater than in any other part of Maſſachuſets, but no buildings were thrown down, part of the walls of ſeveral cellars fell in and the tops of many chimneys were ſhook off. At New York it ſeems to have been equal to what it was in the Maſſachuſets, but at Philadelphia it was very ſenſibly weaker and, in the colonies ſouthward, it grew leſs and leſs until it had ſpent itſelf or became inſenſible. The ſeamen upon the coaſt ſuppoſed their veſſels to have ſtruck upon a ſhoal of looſe ballaſt. More gentle ſhocks were frequently felt in moſt parts of New-England for ſeveral months

only inſtances of the kind in the colonies. Jamaica is exempt. It was ſaid in parliament, in the reign of Charles the 2d, that this duty was conſented to upon condition the planters ſhould be releaſed from a duty of 40 wt. ſugar per head reſerved when the king granted the lands. Jamaica was chiefly diſpoſed of by Cromwell, I ſuppoſe, free from the like burden or charge.

months after. There have ſeldom paſſed above 15 or 20 years without an earthquake, but there had been none, very violent, in the memory of any then living. There was a general apprehenſion of danger of deſtruction and death, and many, who had very little ſenſe of religion before, appeared to be very ſerious and devout penitents, but, too generally, as the fears of another earthquake went off, the religious impreſſions went with them and they, who had been the ſubjects of both, returned to their former courſe of life. 1727.

THE trade of the province being in a bad ſtate, and there being a general complaint of ſcarcity of money the old ſpirit revived for increaſing the currency by a further emiſſion of bills of credit. It would be juſt as rational when the blood in the human body is in a putrid corrupt ſtate to increaſe the quantity, by luxurious living, in order to reſtore health. Some of the leading men, among the repreſentatives, were debtors and a depreciating currency was convenient for them. A bill was projected for fortifying the ſea ports. The town of Boſton was to expend ten thouſand pounds in forts and ſtores and, to enable them to do it, thirty thouſand pounds was to be iſſued in bills and lent to the town for thirteen years, Salem, Plimouth, Marblehead, Charleſtown, Gloceſter, and even Truro, on the cape, were all to be ſupplied with bills of credit for the like purpoſes. After repeated nonconcurrence and long altercation, the council were prevailed upon to agree to the bill. When it came to the lieutenant governor, he laid the king's inſtruction before the council and required their opinion, upon their oaths, whether conſiſtent with the inſtruction he could ſign the bill and they anſwered he could not. Not only the lieutenant governor, but ſeveral of the council, were dependent upon the houſe for the grant of their ſalaries, and this dependence, was improved as, in divers inſtances, it had been formerly. The houſe referred the conſideration of allowance to the next ſeſſion and deſired the court might riſe. The lieut. governor let them know, by a meſſage, that

1727. that he apprehended his ſmall ſupport was withheld from him, becauſe he would not ſign a bill contrary to his inſtructions. They replied, that he had recommended to them, the making proviſion for fortifying the province and, now they had paſſed a bill for that purpoſe, he refuſed to ſign it, and they were obliged, in prudence and faithfulneſs to their principals, to come into a vote referring allowances and other matters to another ſeſſion, when a way may be found to enable the inhabitants to pay into the treaſury again ſuch ſums as may be drawn out for gratuities* and allowances. After a receſs of about a fortnight, an expedient was found. Inſtead of a bill for fortifying, another was prepared with a ſpecious title, "An act for raiſing and ſettling a public revenue for and towards defreying the neceſſary charges of the government by an emiſſion of £. 60,000 in bills of credit." This was done to bring it within the words of the inſtruction, which reſtrained the governor from conſenting to the iſſuing bills of credit, except for charges of government. The intereſt of 4 per cent or £. 2400—was to be applied annually to the public charges and gave colour for iſſuing, the principal ſum of £. 60,000. The lieutenant governor was prevailed upon to ſign it and, the ſame day, the houſe made the grant of his ſalary and the uſual allowance to the judges, moſt of whom were members of the council, and to the other officers of the government. This was afterwards alledged to be a compulſion of the lieutenant governor and ſuch of the members of council as were ſalary men, to comply with the houſe of repreſentatives, by withholding from them their ſubſiſtance. The eagerneſs of the body of the people for paper bills, more eaſily acquired in this way than the righteous way of induſtry and frugality, no doubt, facilitated a compliance.

THE council, upon this occaſion, declined anſwering upon their oath, as councellors, when the lieut. governor aſked

* Gratuity is a term not uſual with the houſe and ſeems not ſo proper for payment of ſervices.

aſked their advice. They ſwear that to the beſt of their judgment they will at all times freely give their advice to the governor for the good management of the public affairs of the government. The lieut. governor propoſed the following queſtion to them in writing "Gentlemen, I find it neceſſary, in order to my ſigning the bill entitled An Act for raiſing and ſettling a revenue &c. which has paſſed both houſes, to have your advice whether I can ſign the ſaid bill without the breach of the inſtruction of the lords juſtices of Great-Britain, dated the 27th September 1720, and the order of the lords commiſſioners of trade and plantations, dated the 8th of February 1726-7. W. Dummer. Feb. 17, 1727." Upon which, the council came to the following vote. "In council, Feb. 19, 1727, Read, and as the council have already, as they are one part of the general court, paſſed a concurrence with the honorable houſe of repreſentatives upon the ſaid bill, they cannot think it proper for them to give your honor any further advice thereupon, nor do they apprehend the oath of a councellor obliges them thereto. At the ſame time, they cannot but think it will be for the good and welfare of the province and the neceſſary ſupport of the government thereof, if the bill be conſented to by your honor.

J. Willard, Secretary." 1727.

THEY had given their advice or opinion, the ſame ſeſſion, upon the bill for fortifying, after they had paſſed it, that it was contrary to the inſtruction, and inſtances of the like kind have been frequent before and ſince this time.

THE lieutenant governor had a further opportunity, before Mr. Burnet's arrival, of meeting the aſſembly in May for election of councellors.

THE houſe diſcovered, in one inſtance, this ſeſſion, a deſire to amplify their juriſdiction. The council and houſe had made it a practice, ever ſince the charter, to unite in the choice of the treaſurer, impoſt officer and other civil officers, the appointment whereof is reſerved to the general aſſembly. The council, being in number

1727. number less than a third part of the house, have by this means no weight in such elections except when there are two or more candidates for an office, set up by the house, and then the balance of power, if they are united themselves, may be with them. This seems to have been an old charter practice and handed down. The two houses, when parties to any petition or cause desire to be heard, often meet in one house, which no doubt also came from the old charter, but after they are seperated, they vote seperately upon the subject matter of the hearing. In this session, after a hearing of this sort, the house passed a vote, "that when a hearing shall be had on any private cause before both houses together the subject matter shall be determined by both houses conjunctly." They might as well have voted that, after a conference between the two houses, the subject matter should be determined conjunctly. The council were sensible this was taking from the little weight they had and unanimously nonconcurred the vote.

THE manner of chusing civil officers is a defect in the constitution, which does not seem to have been considered at the framing the charter, and as, by charter, officers must annually be elected, it is a defect which must be submitted to. If either house should elect by themselves and send to the other for concurrence the right of nomination would be such an advantage as neither would be willing to concede to the other. In the early days of the charter, it had been made a question, whether in any acts of goverument the council had a negative voice and were not rather to vote in conjunction with the honse of representatives, and Constantine Phips gave his opinion, that they had no negative. He seems not to have considered, that the charter and the commissions to governors of other colonies evidently intended a legislature after the pattern of the legislature of England, as far as the state and circumstances of the colonies would admit.

THE

THE government, under the old charter and the new, had been very prudent in the diſtribution of the territory. Lands were granted for the ſake of ſettling them. Grants for any other purpoſe had been very rare and, ordinarily, a new ſettlement was contiguous to an old one. The ſettlers themſelves, as well as the government, were inclined to this for the ſake of a ſocial neighbourhood, as well as mutual defence againſt an enemy. The firſt ſettlers on Connecticut river, indeed, left a great tract of wilderneſs between them and the reſt of the colony, but they went off in a body, and a new colony, Connecticut, was ſettling near them at the ſame time. Rivers were alſo an inducement to ſettle, but very few had ventured above Dunſtable, upon the fine river Merrimack, and the rivers in the province of Main had no towns at any diſtance from the ſea into which they empty. But all on a ſudden, plans are laid for grants of vaſt tracts of unimproved land and, the laſt ſeſſion of Mr. Dummer's adminiſtration, a vote paſſed the two houſes appointing a committee to lay out three lines of towns each town of the contents of ſix miles ſquare, one line to extend from Connecticut river above Northfield to Merrimack river above Dunſtable, another line on each ſide Merrimack as far as Penicook, and another from Nichewanock river to Falmouth in Caſco-bay. 1727.

PRETENCES were encouraged, and even ſought after, to intitle perſons to be grantees. The poſterity of all the officers and ſoldiers who ſerved in the famous Naraganſet expedition in 1675 were the firſt pitched upon, thoſe who were in the unfortunate attempt upon Canada in 1690 were to come next. The government of N. Hampſhire ſuppoſed theſe grants were made in order to ſecure the poſſeſſion of a tract of country challenged by them as within their bounds. This might have weight with ſome leading men, who were acquainted with the controverſy, but there was a fondneſs for granting land in any part of the province. A condition of ſettling a certain number of families in a few years, ordinarily,

1727. narily, was annexed to the grants, but the court, by multiplying their grants, rendered the performance of the condition impracticable, there not being people enough within the province willing to leave the old ſettled towns, and the grantees not being able to procure ſettlers from abroad.

THE ſettlement of the province was retarded by it a trade of land jobbing made many idle perſons, imaginary wealth was created, which was attended with ſome of the miſchievous effects of the paper currency, viz. idleneſs and bad œconomy, a real expence was occaſioned to many perſons, beſides the purchaſe of the grantees title, for every townſhip by law was made a propriety and their frequent meetings, ſchemes for ſettlement, and other preparatory buſineſs, occaſioned many charges. In ſome few towns, houſes were built and ſome part of the lands cleared. In a ſhort time, a new line being determined for the northern boundary of the Maſſachuſets colony, many of theſe townſhips were found to be without it. The government of New-Hampſhire, for the crown, laid claim to ſome of them, and certain perſons, calling themſelves proprietors under Maſon, to others, and the Maſſachuſets people, after a further expence in conteſting their title, either wholly loſt the lands, or made ſuch compoſition as the new claimers thought fit to agree to.

1728. MR. Burnet* was received with unuſual pomp. Beſides a committee of the general court, many private gentlemen went as far as Briſtol to wait upon him, and, beſides the continual addition that was making in the journey, there went out of Boſton to meet him at a ſmall diſtance ſuch a multitude of horſes and carriages that he entered the town with a greater cavalcade than had ever been ſeen before or ſince. Like one of his predeceſſors, lord Bellamont, he urged this grand appearance, in his firſt ſpeech to the aſſembly, as a proof of their ability very honorably to ſupport his majeſty's government and, at the ſame time, acquainted them with the king's inſtruction

* He arrived at Boſton July 13th.

to him to inſiſt upon an eſtabliſhed ſalary, and his intention firmly to adhere to it.* He had aſked the opinion of a New-England gentleman, who was then the miniſter of the preſbyterian church at New-York, whether the aſſembly would comply with his inſtruction, and received a diſcouraging anſwer which cauſed him to reply, that he would not engage in a quarrel, or to that effect; but he either received different advice upon his arrival, or for ſome other reaſon altered his mind. The aſſembly ſeemed, from the beginning, determined to withſtand him. To do it with better grace and a more reaſonable proſpect of ſucceſs the quantum of the ſalary, it was agreed, was not worth diſputing. It bore no proportion to the privilege and right of granting it for ſuch time as they thought proper. The ſame perſons, therefore, who ſix or ſeven years before refuſed to make governor Shute and, perhaps, the government eaſy by granting not more than five hundred pounds ſterling a year, now readily voted for a thouſand or a ſum which was intended to be equal to it. Aſſoon as addreſſes from the council and houſe, the uſual compliments upon the firſt arrival of a governor, had paſſed, the houſe made a grant of £.1700 towards his ſupport and to defrey the charge of his journey. In a day or two, the governor let 1728.

* "It is not eaſy to expreſs the pleaſure I have had in coming among you. The commiſſion with which his majeſty has honored me (however unequal to it) has been received in ſo reſpectful and noble a manner, and the plenty and wealth of this great province has appeared to me in ſuch a ſtrong light, as will not ſuffer me to doubt of your ſupporting his majeſty's government by an ample, honorable and laſting ſettlement. The wiſdom of parliament has made it an eſtabliſhed cuſtom to grant the civil liſt to the king for life, and, as I am confident the repreſentatives of the people here would be unwilling to own themſelves outdone in duty to his majeſty by any of his ſubjects, I have reaſon to hope that they will not think ſuch an example has any thing in it which they are not ready to imitate. I ſhall lay before you his majeſty's inſtruction to me upon this ſubject, which, as it ſhall be an inviolable rule for my conduct, will, without queſtion, have it's due weight with you." *Gov. ſpeech 24 July 1728.*

1728. let them know he was utterly unable to give his consent to it, being inconsistent with his instruction. After a week's deliberation, a grant was made of three hundred pounds for the charge of his journey, which he accepted, and another of fourteen hundred pounds towards his support, which was accompanied with a joint message from the council and house, prepared by a committee, wherein they assert their undoubted right as Englishmen and their privilege by the charter to raise and apply monies for the support of government and their readiness to give the governor an ample and honorable support, but they apprehended it would be most for his majesty's service, &c. to do it without establishing a fixed salary. The governor was always very quick in his replies and at once, when a committee came to him with a message, having privately obtained a copy of it, gave the same committee an answer in writing to carry back. The same day this message was delivered, he observed to them, in answer, "that the right of Englishmen could never intitle them to do wrong, that their privilege of raising money by charter was expressed to be 'by wholesome and reasonable laws and directions,' consequently not such as were hurtful to the constitution and the ends of government; that in their way of giving a support to the governor could not be honorable, for it deprived him of the undoubted right of an Englishman, viz. to act his judgment, or obliged him to remain without support, and he appealed to their own consciences, whether they had not formerly kept back their governor's allowance until other bills were passed, and whether they had not sometimes made the salary depend upon the consent to such bills; that if they really intended from time to time to grant an honorable support they could have no just objection to making their purposes effectual by fixing his salary, for he would never accept of a grant of the kind they had then made." We shall be convinced that Mr. Burnet was not a person who could be easily moved from a resolution he had once taken up.

Upon

† August 7th.

UPON the receipt of this meſſage and the peremptory declaration of the governor, the houſe found this was like to be a ſerious affair, and that they ſhould not ſo eaſily get rid of it as they had done of the like demands made by Dudley and Shute, and again appointed a committee to join with a committee of council to conſider of this meſſage. The excluſive right of the houſe in originating grants they have often ſo far given up as to join with the council by committees to conſider and report the expediency of them, the reports, generally, being ſent to the houſe, there to be firſt acted upon. The report of this committee was accepted in council and ſent to the houſe, but there rejected and, not being able to unite in an anſwer, the houſe tried the council with a reſolve, ſent to them for concurrence, the purport of which was, that fixing a ſalary on the governor or commander in chief for the time being would be dangerous to the inhabitants and contrary to the deſign of the charter in giving power to make wholſome and reaſonable orders and laws for the welfare of the province. This vote, in ſo general terms, the council did not think proper to concur, and declared that, although they were of opinion it might prove of ill conſequence to ſettle a ſalary upon the governor for the time being, yet they apprehended a ſalary might be granted for a certain time, to the preſent governor, without danger to the province, or being contrary to the deſign of the charter, &c.* 1728.

THIS occaſioned a conference, without effect, both houſes adhering to their own votes, and from this time the houſe were left to manage the controverſy themſelves. They ſent a meſſage to the governor to deſire the court might riſe.† He told them, that if he ſhould comply with their deſire he ſhould put it out of their power to pay an immediate regard to the king's inſtruction and he would not grant them a receſs until they had finiſhed the buſineſs for which the court was then ſitting. They then, in a meſſage to him, declared that, in faithfulneſs to the people of the province, they could not come

* Aug. 19th. † 28th.

1728. come into an act for eſtabliſhing a ſalary on the governor or commander in chief for the time being, and therefore they renewed their requeſt that the court might riſe.*

BOTH the governor and the houſe ſeem to have ſome reſerve in their declarations. Perhaps a ſalary during his adminiſtration would have ſatisfied him, although he demanded it for the commander in chief for the time being; and the houſe do not yet ſay, that they will not ſettle a ſalary for a limited time. Each deſired that the other would make ſome conceſſions. Both declined, and both by long altercation were irritated and, at length, which is often the caſe, inſtead of cloſing, as ſeemed probable at firſt, widened the breach until they fixed at the oppoſite extremes. The major part of the council and about a ſixth part of the houſe were willing to ſettle a ſalary upon Mr. Burnet for a term not exceeding three years, poſſibly even ſome who were finally the moſt zealous in the oppoſition would have ſubmitted to this if they could have been ſure of its being accepted, and they had been at liberty to act their judgment. Mr. Cooke had experienced the ill ſucceſs of the controverſy with governor Shute and ſeemed deſirous of being upon terms with his ſucceſſor who, upon his firſt arrival and until the province houſe could be repaired, lodged at Mr. Cooke's houſe, but a friendſhip could not long continue between two perſons of ſo different opinions upon civil government. The language of the governor's meſſages was thought too dictatorial by the people and particularly, by the inhabitants of Boſton, and he had been ſomewhat free in his jokes upon ſome of the ſhopkeepers and principal tradeſmen who were, then, the directors of the counſels of the town and very much influenced thoſe of the houſe. An intimation in the governor's next meſſage* that, if they did not comply with the inſtruction, the legiſlature of Great-Britain would take into conſideration the ſupport of the government and, perhaps, ſomething beſides, meaning the charter, increaſed the prejudices againſt him. The houſe, now, thought themſelves

* Auguſt 29th.

themſelves obliged to be more particular than they had yet been fully to aſſert their rights.* This was what the governor deſired and, without any delay† he ſent them an anſwer. As theſe two meſſages ſeem to begin, in earneſt, the argument on each ſide of the queſtion, we ſhall inſert them in the margin.‡ Not long after, 1728.

* Auguſt 31ſt. † Sept. 2d.

‡ Auguſt 31ſt, 1728. The houſe of repreſentatives ſent the following meſſage to his excellency the governor.

"May it pleaſe your excellency,

The repreſentatives in general court aſſembled, before they proceed to make reply to what they received from you on thurſday laſt, reſpecting their anſwer of that morning to your meſſage of the 28th current, beg leave to recur to what the council and repreſentatives, the 7th inſtant, in great truth and ſincerity, among other things, laid before your excellency viz. they humbly apprehend that his majeſty's ſervice in the neceſſary defence and ſupport of the government and the protection and preſervation of the inhabitants thereof, the two great ends propoſed in the power granted to this court for the raiſing taxes would be beſt anſwered without eſtabliſhing a ſalary. Your excellency was pleaſed to let us know, that the anſwer of the houſe contained no reaſons that appeared to you ſufficient why his majeſty's 23d inſtruction might not be complied with, ſince the ſame methods that are found no ways to prejudice the rights and liberties of the people of Great-Britain nor of other colonies, cannot prejudice thoſe of the province.—If the method practiſed in Great-Britain is not prejudicial to the rights and liberties of the people there, it does not therefore follow that fixing a ſalary will not prejudice the people of this province. The Britiſh conſtitution differing from ours in many reſpects; and other colonies coming into any particular method, we not knowing the motives inducing them thereto, nor the ſeveral conſtitutions of government they are put under, ought not to influence or prompt us to imitate them.

May it pleaſe your excellency,

The houſe, being heartily deſirous to cultivate a good agreement and harmony with your excellency, take this opportunity to aſſure you, that we have, once and again, deliberately conſidered your meſſage for fixing a ſalary, and do humbly conceive that it is againſt the good deſign of the powers veſted and repoſed in us by the royal charter, to paſs acts purſuant to the inſtructions laid before us, for as much as paſſing ſuch acts, as we apprehend,

1728. the houſe, inſtead of any advances towards a compliance, which the governor wiſhed to obtain, came to reſolutions upon two queſtions which ſhewed ſtill more fully their ſenſe

apprehend, has a direct tendency to weaken our happy conſtitution; for that their late majeſty's King William and Queen Mary, of glorious memory, were graciouſly pleaſed to gratify the inhabitants here and did grant to them certain powers privileges and franchiſes to be uſed and employed for the benefit of the people and, in the ſame grant, reſerved other powers to be uſed and exerciſed by the crown or the governors ſent by them, agreeable to the directions and inſtructions contained in ſaid grant and their commiſſions, having reference for their better guidance and directions to the ſeveral powers and authorities mentioned in the ſaid charter; if therefore the general aſſembly ſhould at any time come into any act that might tend to infringe the prerogative or diſſerve the crown, his majeſty's governor's have a negative voice on all ſuch acts; furthermore, ſhould any governor incautiouſly give his conſent to ſuch acts, his majeſty has reſerved to himſelf a power to diſallow the ſame, but the uſe and exerciſe of the other powers and privileges lodged in the general aſſembly, his majeſty juſtly expects they will never make uſe of them in prejudice of the rights and liberties of the people, but at all times exert themſelves in defence thereof. If we reſemble the Britiſh conſtitution, as your excellency has done us the honor to declare, we humbly apprehend that no part of the legiſlature here ſhould be intirely independent, as your excellency has very juſtly denoted to us, that the three diſtinct branches of the legiſlature, preſerved in a due balance, forms the excellency of the Britiſh conſtitution and if any of thoſe branches ſhould become leſs able to ſupport its own dignity and freedom, the whole muſt inevitably ſuffer by the alteration. Your excellency is pleaſed to ſay that a ſupport given as has been uſual here cannot be honorable becauſe that implies no ſort of confidence in the government. To which we humbly offer, that if your excellency would take notice of our grants, you would ſee that the very method itſelf is founded on nothing elſe, inaſmuch as they always look forward and are given to enable the governor to go on and manage the public affairs. Thus, in this our firſt ſeſſion at your excellency's firſt and welcome arrival, the aſſembly made a grant of £ 1400—to enable your excellency to manage the affairs of this province, fully confiding in your conduct. If your excellency intend that we do not put ſo much confidence in you as the parliament do in our moſt gracious ſovereign, to whom

ſenſe of the point in controverſy. The firſt queſtion was, whether the houſe will take under conſideration the ſettling a temporary ſalary upon the governor or commander 1728.

the civil liſt is granted for life (which God long preſerve) we freely acknowledge it. Is it reaſonable or poſſible that we ſhould confide in any governor whatſoever ſo much as in our gracious king, the common father of all his people, who is known to delight in nothing ſo much as in their happineſs and whoſe intereſt and glory and that of his royal progeny are inſeparable from the proſperity and welfare of his people, whereas it is moſt obvious that neither the proſperity nor adverſity of a people affect a governor's intereſt at all when he has once left them. Your Excellency goes on and declares that the ſupport of the government in this manner viſibly depends on an intire compliance with the other parts of the legiſlature. Had the governor no authority nor checks upon them we muſt acknowledge this to be the caſe, but as both the other parts have a great dependence upon the governor's diſcretionary power, the council (as the practice uſually is) for their very being and both they and the repreſentatives for every law and proper act of government, and for every penny put into and drawn out of the treaſury, for their whole defence and ſecurity in every caſe of danger, as he is their captain general, beſides other obvious particulars needleſs and too numerous to be named, that if in this ſingle inſtance the governor ſhould have dependence on the aſſembly, as to his ſupport, according as they ſhall ſee the province able, the other things that they depend upon him for are ſo vaſtly more than a counterbalance that it cannot be thought that the commander in chief can be hereby prevented acting according to his judgment or remain without ſupport. We aſſure your excellency that it is not any exception to your perſon or adminiſtration (which we hope other parts of our conduct have made evident) that determines us againſt fixing a ſalary as preſcribed.

May it pleaſe your excellency,

ince we have ſo many times heretofore and do now in the moſt ſolemn manner and after the moſt ſtrict ſcrutiny we are able to make in this important affair manifeſt that in faithfulneſs to our country we cannot think it adviſeable for this houſe to be concerned in paſſing an act for fixing a ſalary as preſcribed, we do therefore moſt ardently move your excellency, that you would permit us to repair to our ſeveral homes, and not keep us ſitting here in order to our acting contrary to our native freedom and declared judgment and ſo betraying the great truſt and confidence our principals have repoſed in us. Sept.

1728. commander in chief for the time being. This paſſed in the negative. Then this queſtion was put; Whether the houſe can with ſafety to the people come into any other

Sept. 3d 1728.

The ſecretary carried down to the houſe the following meſſage from his excellency the governor.

Gentlemen of the houſe of repreſentatives,

It is not at all agreeable to my inclination to enter into diſputes with your houſe and, for that reaſon, I have endeavoured hitherto to be as ſhort as the importance of the matters which I have recommended to you will allow me. But ſince you have thought fit to lay ſuch ſtreſs on the reaſons offered in your reply of ſaturday, I cannot avoid, once more for all, entring into a particular examination of them, that not only yourſelves but thoſe whom you repreſent may be enabled to judge of the controverſy between us.——You begin with reminding me that the council and repreſentatives apprehended 'that his majeſty's ſervice, in the neceſſary defence and ſupport of the government and the protection and preſervation of the inhabitants thereof, the two great ends propoſed in the power granted to this court, would be beſt anſwered without eſtabliſhing a fixed ſalary.' It ought not to be forgotten, at the ſame time, that the council had altered the words *would be beſt* into *may be well* though you prevailed with them to recede from the amendment, and that they made this addition, 'We eſteem it a great unhappineſs that his majeſty ſhould think our method of ſupporting the governors of this province a deſign of making them dependant on the people,' to which you agreed, though nothing to that effect had been inſerted in your own draught. By theſe inſtances, the council appear, from the firſt to have very different apprehenſions from you of the regard to be paid to his majeſty's inſtruction and of the weight of his diſpleaſure; which laſt conſideration (though the greateſt part of my meſſage) was not, it ſeems, thought by you to deſerve any room at all in ſo long a reply. But ſuppoſing the council and you were agreed, that is to ſay, that two branches of the legiſlature thought it beſt to keep the third intirely dependent on them (which would be a manifeſt piece of partiality and injuſtice) is this any reaſon why the third ſhould be of the ſame opinion? Or rather, does it not confirm the too juſt ſuſpicion his majeſty has of a deſign ſo dangerous to his own authority? Two branches of legiſlature can bring nothing to effect without the third; and, conſequently, if what ſeems beſt to them only cannot be conſented to by the other, it becomes their duty then to con-

de-

other method for ſupporting the governor or commander in chief for the time being, than what has been heretofore practiſed. This alſo paſſed in the negative and was 1728.

der what next beſt thing can be done, in which all three can concur, for it does not follow that if what ſome imagine beſt cannot be done, therefore nothing ſhould be done at all.—— And ſo much for what you have ſaid before you proceed to make reply.

You may perceive from what I have already expreſſed, upon how many accounts the reaſons of the houſe can never appear ſufficient to me why his majeſty's 23d inſtruction ſhould not be complied with, and I am far from thinking that you give any anſwer to my former reaſons. You ſay 'that if the method practiſed in Great-Britain is not prejudicial to the rights and liberties of the people there, it does not therefore follow that fixing a ſalary would not prejudice the people of this province.' Rights and liberties are words that have, naturally, the ſame meaning in all countries and, unleſs you can ſhew me wherein the Britiſh rights and liberties are defective, (which you have not done) I may conclude that they are not ſo and, in that caſe, it is a natural conſequence that the methods under which they have been ſo long ſafe and flouriſhing are moſt likely to produce the ſame effects. But you ſay 'the Britiſh conſtitution differs from yours in many reſpects.' I take the chief difference to have been in the uſe made of the conſtitution which has been no ways to your advantage, for by Great-Britain's keeping up to their conſtitution publick credit ſtill continues at the heighth, notwithſtanding the vaſt charges and debts of the nation, but with you credit has fallen lower and lower in an amazing manner, and this has proceeded plainly from the want of a ſufficient check in the other branches of the legiſlature to the ſudden and unadviſed meaſures of former aſſemblies; ſo that if ever you come near the happineſs of Great-Britain it muſt be by ſupporting thoſe parts of the legiſlature which of late have been too much depreſſed, but are in themſelves neceſſary to guard the liberties and properties of the inhabitants as well as the houſe of repreſentatives.

As to the caſe of other plantations, I ſhall only ſay; If you enjoy larger privileges by the favor of the crown than they and, by conſequence, have more to loſe by his majeſty's diſpleaſure, the arguments both of gratitude and intereſt plead ſtronger with you for a compliance with an inſtruction in itſelf ſo juſt and reaſonable.

I cannot

1728. the first instance of the house's declaring they would make no advances, for in their message last preceding they only say they do not think it adviseable to pass an act for fixing a salary as prescribed. These votes caused the governor to put them in mind of a letter from their agent in the year 1722, wherein he mentions that lord Carteret, in conversation, desired him to write to the assembly not to provoke the government in England to bring

I cannot see why you apprehend that passing acts pursuant to the instruction has a direct tendency to weaken your happy constitution, especially since you now acknowledge what I had formerly observed, " that each branch of the legislature and consequently the governor ought to be enabled to support its own dignity and freedom," which is all that is intended by the instruction.

I had observed, " that the usual way of supporting the government implied no sort of confidence in the governor." You offer ' that if I would take notice of your grants I should see that the very method itself is founded upon nothing else, inasmuch as they always look forward and are given to enable the governor to go on and manage the publick affairs.' I can scarce believe that this is intended for a serious argument, since a time no longer ago than last winter session affords a plain proof to the contrary. The lieutenant governor informed the house in answer to their message expressing their desire of an adjournment, ' that he had consented to all the acts and votes passed the two houses except the bill for emitting bills of credit which he would have signed were it consistent with his majesty's instruction which it was not, in the opinion of the council. And he concludes with reminding them, ' that the proper and usual season for granting salaries is already outrun, and that he expects they will provide for the honorable support of the government before they rise.' The house entered into the consideration of the above message, and after some debate had thereon the question was put, whether the house will now come to the consideration of allowances, it passed in the negative. Then the question was put, whether the consideration of allowances shall be referred to the next session of this court; and resolved in the affirmative. In this manner was this method of grants ' that always look forward' brought to look directly upon the present business in order to compel a compliance, or if you like that better, to look backward by way of punishment for a denial; and so the public affairs were left to manage themselves for any care that was taken of them.

bring their charter before the parliament, for if they did, it was his opinion, it would be diſſolved without oppoſition, and the governor adviſed them to take care their proceedings did not bring their charter into danger at that time. This caution did not prevent the houſe from preparing a ſtate of the controverſy between the governor and them, concerning his ſalary, to tranſmit to their ſeveral towns, in the concluſion of which they ſay that they dare neither come into a fixed ſalary on the governor for ever nor for a limited time, for the following reaſons. 1728.

Z 4 "1ſt. BECAUSE

Your next obſervation is not one jot a juſter repreſentation of the caſe before you. You ſay you are not for fixing a ſalary 'becauſe it's not reaſonable or poſſible you ſhould confide in any governor whatſoever ſo much as in our moſt gracious king.' As if this inſtruction to demand a ſalary came from a governor and not from his majeſty himſelf, and as if the ſalary was to be given directly to the governor and not to his majeſty for the uſe of his governor or commander in chief, or as if upon juſt complaint his majeſty could not or would not remove an ill governor and, in ſhort, as if your doing the thing would not be altogether upon confidence in his majeſty and not in any governor whatſoever. The words of reſpect here uſed to his majeſty come with a very ill grace and have not that gravity in them which would be more becoming, ſince in the ſame breath you are diſregarding his own demand and undervaluing his favor and making light of his declaration 'that if you do not pay an immediate regard to his inſtruction he will look upon it as a manifeſt mark of your undutiful behavior to himſelf.'

You carry on the ſame kind of reaſoning to the end of your paper, which ſeems much better adapted to amuſe than to prove any thing.

In the firſt place, you make a very pompous repreſentation of the governor's authority and of the great dependance the other parts of the general court have on his diſcretionary power and call his ſupport the ſingle inſtance in which he has ſome dependance on the aſſembly, and, juſt after, you give an odious aſperſion on an undoubted branch of the power lodged in the governor, which is 'to keep the general court together as long as he thinks the public affairs require it.' I am at a loſs to know whether your inſinuation, that I keep you here in order to compel you to act contrary to your native freedom and declared

1728. "1ſt. BECAUSE it is an untrodden path, which neither they nor their predeceſſors have gone in, and they cannot certainly foreſee the many dangers that may be in it, nor can they depart from that way which has been found ſafe and comfortable.

"2dly. BECAUSE it is the undoubted right of all Engliſhmen, by magna charta, to raiſe and diſpoſe of money for the public ſervice, of their own free accord, without compulſion.

"3dly. BECAUSE it muſt neceſſarily leſſen the dignity and freedom of the houſe of repreſentatives in making acts and raiſing and applying taxes, &c. and, conſequently, cannot be thought a proper method to preſerve that balance in the three branches of the legiſlature which ſeems neceſſary to form, maintain and uphold the conſtitution.

"4thly.

declared judgment, be more injurious to me or yourſelves. You ſeem to allow the governor's powers only ſo far as he uſes them according to your pleaſure, but, in uſing your own powers, to take it very ill to be directed by any body. You ſaid, before, 'that the other things which the houſe depends on a governor for are ſo vaſtly more than a counterbalance to his ſupport (you might have ſaid ſubſiſtence and then the irony would have appeared more openly) that it can't be thought that the commander in chief can be thereby prevented acting according to his judgment or remain without ſupport.' As if you were ignorant of the aforementioned proceedings of the laſt winter; and yet you are very ready to think that to keep you ſitting here is a compulſion to you to act contrary to your native freedom and declared judgment and ſo betray the great truſt your principals have repoſed in you. But I perſuade myſelf that your faithfulneſs to your country put you above any ſuch temptation.

And, as I am ſtill of opinion that you have acted upon miſtaken notions, I cannot give over the hopes of your coming to ſee things in that true light in which (I flatter myſelf) I have ſtated the point in queſtion and, as I am diſpoſed to gratify you as far as is conſiſtent with my duty and my honor, I hope you will conſider what advances you can make towards a compliance, that ſo the preſent ſeſſion may not be a needleſs burden to the people but ſtill have a great iſſue to his majeſty's and the country's ſervice. W. Burnet.

General court records.

"4thly. BECAUSE the charter fully impowers the general aſſembly to make ſuch laws and orders as they ſhall judge for the good and welfare of the inhabitants and, if they or any part of them judge this not to be for their good, they neither ought nor could come into it, for, as to act beyond or without the powers granted in the charter might juſtly incur the king's diſpleaſure, ſo not to act up and agreeable to thoſe powers might juſtly be deemed a betraying the rights and privileges therein granted, and, if they ſhould give up this right, they would open a door to many other inconveniencies." 1728.

THIS repreſentation was prepared to be carried home by the ſeveral members, upon the riſing of the court, in order to their towns giving their inſtructions, but, the houſe being kept ſitting, it was printed and ſent through the province. The governor ſent a meſſage to the houſe, a few days after, in which he takes their repreſentation to pieces and, in the cloſe of his meſſage, appeals to them whether he had not anſwered all their objections except "the unknown inconveniencies to which a door would be opened," which could not be anſwered until they could tell what they were, and charges them with calling for help from what they had not mentioned, from a ſenſe of the imperfection of what they had, and with ſending to their ſeveral towns for advice and declaring, at the ſame time, they did not dare follow it.

IT would be tedious to recite at length the ſeveral meſſages, which paſſed during the remainder of the controverſy, from the chair to the houſe and from the houſe to the chair, which followed quick one upon the back of another, the ſum of the argument, upon the part of the governor, was as follows, that it was highly reaſonable he ſhould enjoy the free exerciſe of his judgment in the adminiſtration of government, but the grants, made for a ſhort time only by the houſe, were thus limited for no other reaſon than to keep the governor in a ſtate of dependence, and with deſign to withhold from him

1728. him the neceſſary means of ſubſiſtence, unleſs he would comply with their acts and reſolves, however unreaſonable they might appear to him; that in fact they had treated governor Shute in this manner and, no longer ſince than the laſt year, the houſe had refuſed to make the uſual grants and allowances, not only to the lieut. governor but to other officers, until they had compelled him to give his conſent to a loan of ſixty thouſand pounds in bills of credit; that a conſtitution which, in name and appearance, conſiſted of three branches was, in fact, reduced to one; that it was a profeſſed principle, in the conſtitution of Great-Britain, to preſerve a freedom in each of the three branches of the legiſlature, and it was a great favour ſhewn the province, when king William and queen Mary eſtabliſhed, by the royal charter, a form of government ſo analogous to the government of Great-Britain; a principle of gratitude and loyalty, therefore, ought to induce them to eſtabliſh a ſalary for the governor of this province, in order to his ſupporting his dignity and freedom, in like manner as the parliament always granted to the king what was called the civil liſt, not once in ſix months or from year to year, but for life; that this was no more than other provinces which had no charters had done for their governors; that there was nothing in the province charter to exempt them from the ſame obligation which other his majeſty's colonies were under to ſupport the government; to be ſure, they had no pretence to greater privileges by charter than the people of England enjoyed from magna charta, and yet no clauſe of that was ever urged as an objection againſt granting to the king a revenue for life; and a power by charter to grant monies could not be a reaſon againſt granting them either for a limited or unlimited time.

ON the part of the houſe, the ſubſtance of their defence againſt the governor's demand and his reaſons in ſupport of it was, that an obligation upon an aſſembly in the plantations could not be inferred from the practice of

of the houſe of commons in Great-Britain; the king was the common father of all his ſubjects and their intereſts were inſeparably united, whereas a plantation governor was affected neither by the adverſity nor proſperity of a colony when he had once left it, no wonder then a colony could not place the ſame confidence in the governor which the nation placed in the king; however, the grants to the governor always looked forward and were made, not for ſervices done, but, to be done. It muſt be admitted, the governor is in ſome meaſure dependent upon the aſſembly for his ſalary, but he is dependent in this inſtance only, whereas he has a check and controul upon every grant to any perſon in the government and upon all laws and acts of government whatſoever; nor can an exact parallel be drawn between the conſtitution of Britain and that of the province, for the council are dependent upon the governor for their very being, once every year, whereas the houſe of lords cannot be diſplaced unleſs they have criminally forfeited the rights of peers; the houſe were not to be governed by the practice of aſſemblies in ſome of the other colonies, nor were they to be dictated to and required to raiſe a certain ſum for a certain time and certain purpoſes; this would deſtroy the freedom which the houſe apprehended they had a right to in all their acts and reſolves and would deprive them of the powers given to them, by charter, to raiſe money and apply it when and how they thought proper.* Different judgments will undoubtedly be formed upon the weight of theſe reaſons on the one ſide and the other. 1728.

THE

* The governor had repeatedly urged againſt them their compelling lieutenant governor Dummer to ſign a bill for iſſuing £.60,000 againſt his inſtruction and againſt his judgment, which they had paſſed over without any notice, at length, they tell him "we doubt not but the true ſtate of the caſe is this, that though his honor, in the beginning of the ſeſſion, thought his majeſty's inſtruction forbad him coming into it, yet, upon deliberation and advice of the aſſembly, his great council, he was otherwiſe minded." The governor, in anſwer, aſks them

why

1728.

THE meſſages of the houſe, at firſt, were ſhort, ſuppoſed to have been drawn by Mr. Cooke, who never uſed many words in his ſpeeches in the houſe, which generally diſcovered ſomething manly and open, though ſometimes ſevere and bitter, and often inaccurate. In the latter part of the controverſy they were generally drawn by Mr. Welles, another member from Boſton, the ſecond year of his coming to the houſe. Theſe were generally more prolix, and neceſſarily ſo from the length of the meſſages to which they were an anſwer. The houſe had juſtice done them by their committees who managed this controverſy, and they were then willing to allow that the governor maintained a bad cauſe with as plauſible reaſons as could be.

THE contending parties, for a little while, endeavored to be moderate and to preſerve decorum, but it was impoſſible to continue this temper.

ON the 4th of September, the houſe repeated to the governor, the requeſt they had formerly made to riſe, but he refuſed to grant it and told them, that unleſs his majeſty's pleaſure had its due weight with them their deſires ſhould have very little weight with him.

THE council, who had been for ſome time out of the queſtion, now interpoſed and paſſed a vote "that it is expedient for the court to aſcertain a ſum as a ſalary for his excellency's ſupport as alſo the term of time for its continuance." This was ſent to the houſe for concurrence. The council ſeem to have gone a little out of their line, but the houſe took no other notice of the vote than to nonconcur it. The houſe, being kept ſitting againſt their will, employed part of their time in drawing up the ſtate of the controverſy which we have mentioned.

THIS

why he may not, with exactly the ſame reaſon, ſay "that I doubt not but the true ſtate of the preſent caſe is this, that though the aſſembly, in the beginning of this ſeſſion, thought that their charter forbad them coming into a ſalary for the governor, yet, upon deliberation and advice of his majeſty, their moſt gracious king, by his inſtruction, they will be otherwiſe minded."

THIS was not occaſioned by any doubt they had themſelves, but to convince the governor that the people throughout the province were generally of the ſame mind with the houſe, and for this purpoſe they thought it neceſſary to obtain from their towns an expreſs approbation of their conduct. It was well known, that not a town in the province would then have inſtructed their repreſentatives to fix a ſalary upon the governor for the time being. 1728.

ONE of the king's governments (Barbados) was at this time warmly contending with its governor againſt fixing a ſalary. The aſſembly of that iſland, ſome years before, had ſettled a very large ſalary upon a governor againſt whom they afterwards made heavy complaints charging him with rapaciouſneſs and grievous oppreſſions and, his ſucceſſor having demanded the like ſettlement upon him, they reſolved to withſtand the demand, and the ſpirit ſeemed to be as high there as in Maſſachuſets-bay.

THIS had no ſmall tendency to ſtrengthen and confirm the reſolution of the people here, who ſuppoſed their charter rather an additional privilege and ſecurity againſt this demand.† There was a minor part, however, very deſirous of an accommodation. The ill ſucceſs of the controverſy with governor Shute was freſh in their minds. Many amiable qualities in Mr. Burnet cauſed them to wiſh he might continue their governor and employ thoſe powers and that attention which were now wholly engaged in this ſingle point, in promoting the general welfare and proſperity of the province.

ABOUT a third part of the houſe of repreſentatives and a major part of the council would have been content to have granted a ſalary for two or, perhaps, three years. If we are to judge by his declarations, this would not have ſatisfied him and it was far ſhort of his inſtructions, but his friends were of opinion, that ſuch a partial compliance would have produced a relaxation of the inſtruction and iſſued in laſting agreement and harmony.

THE

† The aſſembly of Barbados, after long ſtruggle, ſubmitted, but leſſened the ſum which had been ſettled before.

1728. THE houſe made what they would have the governor think a ſmall advance towards it. Inſtead of a grant for the ſalary, ſuppoſed, though not expreſſed, for half a year, they made a grant (Sept. 20th) of three thouſand pounds, equal to one thouſand ſterling in order to enable him to manage the affairs of the province and, although it was not expreſsly mentioned, it was generally underſtood to be for a year. This was concurred by the council, but he let it lie without ſigning his conſent, which cauſed the houſe to make at leaſt, a ſeeming farther advance, for on the 24th of October they by a meſſage intreated him to accept the grant and added "we cannot doubt but that ſucceeding aſſemblies according to the ability of the province will be very ready to grant as ample a ſupport, and if they ſhould not, your excellency will then have the opportunity of ſhewing your reſentment." Still this had no effect, the governor knew how natural it would be for a future aſſembly to refuſe being governed by the opinion of a former, beſides the reſerve "according to the ability of the province" left ſufficient room for a further reaſon for reducing the ſum whenſoever a future aſſembly ſhould think it proper.

A little before this meſſage from the houſe, the governor had informed them that he was of opinion the act, which paſſed the laſt year iſſuing ſixty thouſand pounds in bills of credit by way of loan, would be diſallowed, the lieutenant governor having given his conſent to it directly contrary to a royal inſtruction, and recommended to them, as the moſt likely way to obtain his majeſty's approbation, to apply the intereſt of the money ariſing from the loan towards the governor's ſalary. This was one of thoſe acts which have their operation ſo far, before they are laid before his majeſty, that great confuſion may ariſe from their diſallowance. The houſe therefore, had no great fears concerning it, but it would have been a ſufficient reaſon to prevent their complying with the propoſal, that it would be a fixing the ſalary

ſo

ſo long as the loans continued and for this reaſon they refuſed it. 1728.

THE country in general, as we have obſerved, was averſe to a compliance with the king's inſtruction, but no part more ſo than the town of Boſton. Generally, in the colonies, where there is a trading capital town, the inhabitants of it are the moſt zealous part of the colony in aſſerting their liberties when an opinion prevails that they are attacked. They follow the example of London the capital of the nation. The governor had frequently ſaid, that the members of the houſe could not act with freedom, being influenced by the inhabitants of the town. Beſides, the town, at a general meeting of the inhabitants for that purpoſe, had paſſed a vote, which was called the unanimous declaration of the inhabitants of the town of Boſton againſt fixing a ſalary upon the governor, and this vote they ordered to be printed. The governor was in great wrath and called it "an unneceſſary forwardneſs, an attempt to give law to the country." This ſeems to have determined him to remove the court out of town and, on the 24th of October, he cauſed it to be adjourned to the 31ſt, then to meet at Salem in the county of Eſſex "where prejudice had not taken root and where of conſequence his majeſty's ſervice would in all probability be better anſwered." Jocoſely, he ſaid there might be a charm in the names of places and that he was at a loſs whether to carry them there or to Concord.

THE houſe thought their being kept ſo long ſitting at Boſton a great grievance. In one of their meſſages they aſk the governor "Whether it has been cuſtomary that the Knights, Burgeſſes and other freemen of the land ſhould be told that they are met to grant money in ſuch a peculiar way and manner and ſo they ſhould be kept till they had done it, and this in order to gain their good will and aſſent." In his reply he tells them he would conſider their queſtion in all its parts 1ſt, "Whether freemen &c. ſhould be told they are met to grant money.

1728. money. I answer, the crown always tells them so. 2d. "In such a particular way and manner?" I answer. If you mean the way and means of raising money, the crown leaves that to the commons, but if you mean the purpose for which it is to be granted, the crown always tells them what that is, whether it is for an honorable support, the defence of the kingdom, carrying on a war or the like, 3dly. "And so they should be kept till they had done it." The crown never tells the parliament so, that I know of, nor have I told you any thing like this as an expedient to get the thing done. I have given you a very different reason for not agreeing to a recess, altogether for your own sakes, lest I should thereby make your immediate regard to his majesty's pleasure impossible &c.

THE house could not easily be persuaded they were kept so long together meerly for their own sakes and thought this part of the governor's answer evasive of the true reason and considered themselves as under duresse, whilst at Boston, and their removal to Salem to be a further hardship and an earnest of what was still further to come, a removal from place to place until they were harrassed into a compliance. I remember the conversation of the members of the general court, lamenting the measures which had driven away governor Shute who would have been easy with a salary of about £. 500 sterling granted from year to year. The same persons, by whose influence his salary was reduced, were now pressing Mr. Burnet to accept £. 1000 in the same way and could not prevail.

THE house met, according to the adjournment, but immediately complained of their removal from Boston as illegal or unconstitutional and a great grievance. The same, and the only, reason which was now given had been given before in the controversy with governor Shute. The form of the writ for calling an assembly, directed by the province law, mentions its being to be held at the town-house in Boston, but this had been determined by the king in council to be, as no doubt it was, mere matter of form or example only, and that it did not limit

the

thepower which the crown before had of ſummoning and holding aſſemblies at any other place. They prayed the governor, however, to adjourn them back to Boſton, but without ſucceſs. 1728.

THEY endeavoured to prevail upon the council to join with them, but the council declared they were of a different opinion and urged the houſe to proceed upon buſineſs, which occaſioned repeated meſſages upon the ſubject; but the whole ſtreſs of the argument on the part of the houſe lay upon the form of the writ for calling the aſſembly, which the board anſwered by ſaying the houſe might as well inſiſt that all precepts to the towns ſhould go from the ſheriff of Suffolk becauſe the form of the precept in the law has Suffolk ſs.

THE alteration of place had no effect upon the members of the houſe. Votes and meſſages paſſed, but no new arguments, the ſubject had been exhauſted, nothing remained but a determined reſolution on both ſides to abide by their principles, and the houſe met and adjourned, day after day, without doing any buſineſs. The governor was the principal ſufferer, not being allowed by the king to receive any thing towards his ſupport, except in a way in which the aſſembly would not give it. The members of the court, in general, were as well accommodated at Salem as Boſton, and the members of Boſton, who had not been uſed to the expence and other inconvenience of abſence from home, received a compenſation from their town, over and above the ordinary wages of repreſentatives. It was a time of peace without, and a ceſſation of public buſineſs, for that reaſon, was leſs felt.

THE houſe, from an apprehenſion that their cauſe was juſt and therefore that they were intitled to relief, reſolved to make their humble application to his majeſty. Francis Wilks, a New-England merchant in London, who had been friendly to Mr. Cooke in his agency and who was univerſally eſteemed for his great probity as well as his humane obliging diſpoſition, was pitched upon for their agent.

1728. MR. Belcher, who had been ſeveral years of the council, always cloſely attached to governor Shute and, in general, what was called a prerogative man, by ſome accident or other became, on a ſudden, the favorite of the houſe and he was thought the propereſt perſon to join with Mr. Wilks. At the laſt election he had been left out of the council, by what was called the country party, but now declared againſt the governor's meaſures and became intimate with Mr. Cooke and other leading members of the houſe. Such inſtantaneous converſions are not uncommon. A grant was made by the houſe to defrey the charges of the agency, but this was nonconcurred by the council, becauſe it was for the uſe of agents in whoſe appointment they had no voice. The want of money threatned a ſtop to the proceeding, but the public ſpirit of the town of Boſton was diſplayed upon this occaſion and, by a ſubſcription of merchants and other principal inhabitants, a ſum was raiſed which was thought ſufficient for the purpoſe, the houſe voting them thanks and promiſing their utmoſt endeavours that the ſums advanced ſhould be repaid in convenient time. The governor deſired a copy of their addreſs to the king, but they refuſed it.

THE only argument or reaſon in the king's inſtruction for fixing a ſalary is "that former aſſemblies have, from time to time, made ſuch allowances and in ſuch proportion as they themſelves thought the governor deſerved, in order to make him more dependent upon them." The houſe, in the firſt part of their memorial or addreſs, declare they cannot in faithfulneſs ſettle or fix a ſalary becauſe, after that is done, the governor's particular intereſt will be very little affected by ſerving or diſſerving the intereſt of the people. This was ſhewing, that they apprehended the reaſon given by his majeſty for ſettling a ſalary was inſufficient, and that the governor ought to be paid, according to his ſervices in the judgment of thoſe who paid him, but in the cloſe of the addreſs they ſay "we doubt not ſucceeding aſſemblies, according to the

the ability of the province, will come into as ample and honorable a ſupport, from time to time, and ſhould they not, we acknowledge, your majeſty will have juſt reaſon to ſhew your diſpleaſure with them." It was remarked that, in order to make the laſt clauſe conſiſt with the firſt, the ample and honorable ſupport muſt be underſtood in proportion to the ſervices of the governor in the judgment of the houſe but, in this ſenſe, it was ſaying nothing and trifling with majeſty; for no caſe could happen, at any time, in which his majeſty would have juſt reaſon to ſhew his diſpleaſure. It would always be enough to ſay that the houſe, in faithfulneſs to the people, had withheld part of the governor's ſupport becauſe, in their judgment, he had neglected their intereſt and his duty.* 1728.

* It having been ſuggeſted that the people of the Maſſachuſets were aiming at independency, the following remark was made in the brief drawn up previous to the hearing before the committee of council, "From the univerſal loyalty of the people, even beyond any other part of his majeſty's dominions, it is abſurd to imagine they can have thoughts of independency and, to ſhew the reverſe, it is the cuſtom for all perſons coming from thence for London, though they and their fathers and grandfathers were born in New-England, to ſay and always deem it coming 'home' as naturally as if born in London, ſo that it may be ſaid, without being ludicrous, that it would not be more abſurd to place two of his majeſty's beef-eaters to watch a child in the cradle, that it do not riſe and cut his father's throat, than to guard theſe infant colonies to prevent their ſhaking off the Britiſh yoke. Beſides, they are ſo diſtinct from one another in their forms of government, in their religious rites, in their emulation of trade and, conſequently, in their affections, that they can never be ſuppoſed to unite in ſo dangerous an enterprize."

The repeated oppoſition to inſtructions from the crown had raiſed a jealouſy in the minds of ſome, that there was danger of the colonies ſetting up for themſelves. Col. Bladen, in particular, for many years one of the board of trade, often expreſſed, to the agents and other perſons who appeared for New-England, his apprehenſions of ſuch deſigns. It is, nevertheleſs, certain, that ſuch a ſcheme appeared to the whole country to be altogether as wild and extravagant as the foregoing remark repreſents

1728. WHETHER this remark was juſt or not, the houſe had great encouragement given them, by Mr. Wilks,† that their addreſs would obtain for them the wiſhed for relief. He had been heard by council, Mr. Fazakerley and Doctor Sayes, before the board of trade, Mr. Belcher not being then arrived; but ſoon after they received letters‡ from their joint agents, incloſing the report of the board of trade, highly diſapproving the conduct of the houſe, and their agents let them know it was their opinion that, if the houſe ſhould perſiſt in their refuſal to comply with the king's inſtruction, the affair might be carried before the parliament but, if this ſhould be the caſe, they thought it better a ſalary ſhould be fixed by the ſupreme legiſlature, than by the legiſlature of the province, better the liberties of the people ſhould be taken away from them, than given up by their own act. The governor likewiſe communicated to the houſe his letters from the lords of trade approving his conduct.

All

repreſents it. But a paragraph in the report of the lords of trade to the lords committee of council was the more immediate occaſion of this remark. "The inhabitants, far from making ſuitable returns to his majeſty for the extraordinary privileges they enjoy, are daily endeavouring to wreſt the ſmall remains of power out of the hands of the crown and to become independent of the mother kingdom. The nature of the ſoil and product are much the ſame with thoſe of Great-Britain, the inhabitants upwards of 94,000 and their militia, conſiſting of 16 regiments of foot and 15 troops of horſe, in the year 1718, 15,000 men, and, by a medium taken from the naval officers accounts for three years, from the 24th of June 1714 to the 24th of June 1717, for the ports of Boſton and Salem only, it appears that the trade of this country employs continually no leſs than 3493 ſailors, and 492 ſhips making 25406 tons. Hence your excellencies will be apprized of what importance it is to his majeſty's ſervice, that ſo powerful a colony ſhould be reſtrained within due bounds of obedience to the crown and more firmly attached to the intereſts of Great-Britain than they now ſeem to be, which we conceive cannot effectually be done without the interpoſition of the Britiſh legiſlature, wherein, in our humble opinion, no time ſhould be loſt."

† In his letter of March 24th 1728-9.

‡ Dated April 25th 1729.

All hopes of ſucceſs from the agents ſeem'd to be over, and their buſineſs in England would have been very ſhort if the governor had not given occaſion for further application. His adminiſtration for many months, except in this affair of the ſalary, had been unexceptionable. Indeed the members of the houſe thought themſelves aggrieved, that he would not ſign a warrant upon the treaſury for their pay and his reaſon for refuſing it, viz. that one branch of the legiſlature might as well go without their wages as another, they thought inſufficient. Being drove to ſtraits, and obliged to his friends to aſſiſt him in the ſupport of his family, he thought he might be juſtified in eſtabliſhing a fee and perquiſite which had never been known in the province before. At New-York, all veſſels took from the governor a let paſs for which there was no law, but the owners of veſſels ſubmitted to it, and it was ſaid, *volenti non fit injuria*. Lord Coke, perhaps, would not have thought even this a juſtification.* 1728.

THE governor required all maſters to take the ſame paſſes here, againſt their will, and demanded 6*ſ.* or 2*ſ.* ſterl. for every veſſel bound a foreign voyage and 4*ſ.* for coaſters. The ſtated fee, by law, for regiſters was 6*ſ.* but, the bills having depreciated more than one half in value ſince the law was made, he required 12*ſ.* This was a very different caſe from the other, and I do not know that it was exceptionable, but they were alike complained of as grievous and oppreſſive, and the governor's enemies were not diſpleaſed with the advantage he had given them againſt him and, upon a repreſentation made

* "K. Edward 3d entred into a new device to get money, viz. that by agreement and conſent of the merchants the king was to have 40*ſ.* of a ſack of wool, &c. but the commons (that in troth were to bear the burden, for the merchants will not be the loſers) complained in parliament for that the grant of the merchants did not bind the commons, and that the cuſtom might be taken according to the old order, which in the end was granted, and that no grant ſhould be made but by parliament." 2d *Inſt. f.* 69.

1728. made by the agents, notwithſtanding the hardſhip of being reſtrained from receiving a ſalary in any way except ſuch as the aſſembly would not give it in, yet ſuch was the regard to law and juſtice, that his conduct, ſo far as related to the let paſſes, was immediately diſapproved.* There were other matters, beſides that of the ſalary, to be ſettled before Mr. Burnet could be eaſy in his government, but this grand affair cauſed the leſſer to be kept off as much as poſſible. One was the appointment of an attorney general. By the charter the election of the civil officers, except ſuch as belong to the council and courts of juſtice, is in the general aſſembly. Until after governor Dudley's time it had generally been allowed that the attorney general was an officer of the courts of juſtice and included in the exception, but lieutenant governor Tailer, in the year 1716, conſented to an election made by the two houſes and the choice had been annually made and approved ever ſince, not without notice from Mr. Shute of the irregularity of it, but he had ſo many other affairs upon his hands that he waved this.†

MR. Burnet was determined not to part with the right of nomination and the council were of the opinion he ought not and refuſed to join with the houſe in the election. There was ſome altercation between the two houſes upon it and both adhered to their principles.

ANOTHER affair of more extenſive influence would have been more ſtrenuouſly inſiſted upon.

IN governor Shute's adminiſtration, the houſe, after long diſputes with the governor and with the council, carried the point as to the form of ſupply of the treaſury, which

* *Non poteſt rex ſubditum renitentem onerare impoſitionibus.* Forteſcue.

† Governor Dudley brought with him a commiſſion from the queen to his ſon Paul for attorney general, with powers to appoint clerks and other officers, take fees, &c. I do not know that it was publiſhed. He was attorney general many years, but, I ſuppoſe, with a commiſſion from the governor by advice of council.

which differing, as we have already obſerved, from the former practice and, as both governor and council inſiſted, from the rule preſcribed by the charter, Mr. Burnet had determined to return to the firſt practice. The houſe paſſed a vote for ſupplying the treaſury with twenty thouſand pounds which the council concurred, the practice having been the ſame for eight or nine years together, but the governor refuſed his conſent and aſſured them that he would agree to no ſupply of the treaſury but ſuch as was in practice before the year 1721. This declaration was made not long before his death. The ſettlement of the point in controverſy remained for his ſucceſſor. 1728.

THE court was allowed a receſs from the 20th of December to the 2d of April and then ſat until the 18th, at Salem again, without any diſpoſition to comply. 1729.

THE new aſſembly for the election of councellors, was held at the ſame place: There was a general expectation that a new ſet of councellors would be choſen. The council, of the laſt year, had been of very different opinion from the houſe, in many points. They had no doubt of the governor's power to call, adjourn or prorogue the aſſembly to any part of the province he thought proper and, although they were not for a fixed ſalary according to the inſtruction, yet they would have willingly conſented to ſettle it for longer term than a year and, ſome of them, during Mr. Burnet's adminiſtration, but the houſe were moſt offended with the nonconcurrence of their grant of money* to their agents.

* "April 10. 1729. In the houſe of repreſentatives, Reſolved, That the treaſurer be directed to furniſh and ſupply Francis Wilks, Eſq; and Jonathan Belcher, Eſq; with the ſum of three hundred pounds ſterling, in the beſt manner that may be, to ſerve the intereſt of this province in the affair of the humble addreſs of the houſe which has been preſented to the king's moſt excellent majeſty, the ſaid gentlemen to be accountable for the expence of the ſaid money."

"April 11. In council, read and nonconcurred."

"In

1729. After all, only four new councellors were elected.† Immediately after the council was ſettled, the court was prorogued to the 25th of June and, having ſat unto the 10th of July, he prorogued them again unto the 20th of Auguſt, having made no ſpeech at either of the ſeſſions, or taken any notice of any buſineſs he thought proper for them to do. The reaſon of this omiſſion appeared at the ſeſſion in Auguſt. He had waited the final determination of his majeſty in council, upon the report of the lords committee. This he now communicated to the houſe, whereby they perceived that his conduct was approved, that of the houſe condemned, and his

"In council, Ordered, that a meſſage be ſent down to the hon. houſe of repreſentatives to acquaint them that the board had nonconcurred a reſolve of the houſe, paſſed the 10th currant, for ſupplying Francis Wilks and Jonathan Belcher, Eſq;'s with the ſum of £.300 ſterl. to enable them to ſerve the intereſt of this province in the affair of the humble addreſs of the houſe, &c. and, as they apprehend, for very good reaſons. It is well known that Mr. Wilks was choſen agent for the houſe of repreſentatives by a vote of the houſe only and was, accordingly, to obſerve ſuch inſtructions as he ſhould receive from them, and this was one of the reaſons given by the council for nonconcurring a vote for allowing one hundred pounds ſterl. to Francis Wilks, Eſq; paſſed the laſt ſeſſion, viz. December the 20th, and it may be of ill conſequence, as the council judge, for them to join in ſupporting any other agency that affects this province than ſuch as they are conſulted with and have conſented to from the beginning: Beſides which, the board look upon it as a very extraordinary practice in the hon. houſe to ſend up a vote, for ſupplying Meſſi'rs Wilks and Belcher to ſerve the intereſt of this province in the affair of an humble addreſs, &c. for concurrence, when they never allowed the board a ſight of ſaid addreſs till ſeveral months after the ſame was tranſmitted to Great-Britain and actually preſented to his majeſty in council."

† Jonathan Belcher, William Dudley, Peter Thacher, and Iſaac Little, in the room of Nathanael Byfield, John Cuſhing, Symonds Epes, and John Stoddard. The governor negatived Belcher and Little. Col. Byfield was now in favor and appointed judge of admiralty after Meinzie's death, Mr. Auchmuty having firſt officiated a few months.

his majeſty adviſed to lay the caſe before the parliament.* 1729.
The houſe received a letter, at the ſame time, from their agents who, it ſeems, had altered their opinions and now intimated

* At the court at Kenſington, the 22d day of May, 1729.
Preſent, the queen's moſt excellent majeſty, guardian of the kingdom of Great-Britain and his majeſty's lieutenant within the ſame, in council,

His royal highneſs the prince of Wales,

Archbp of Canterbury	Duke of Newcaſtle	Earl of Suſſex
Lord Chancellor	Earl of Weſtmorland	Earl of Londſdale
Lord Privy Seal	Earl of Burlington	Viſcount Cobham
Lord Steward	Earl of Scarborough	Viſcount Falmouth
Lord Chamberlain	Earl of Coventry	Lord Wilmington
Duke of Somerſet	Earl of Grantham	Mr. Speaker
Duke of Bolton	Earl of Godolphin	Mr. Chancellor of the exchequer
Duke of Rutland	Earl of Loudoun	
Duke of Argyle	Earl of Finlater	Maſter of the Rolls
Duke of Montroſs	Earl of Marchmont	Sir Paul Methuen
Duke of Kent	Earl of Ilay	Henry Pelham, Eſq;
Duke of Ancaſter	Earl of Uxbridge	

Upon reading this day at the board a report to his majeſty from the lords of the committee of his majeſty's moſt honorable privy council, dated the 22d of the laſt month, in the words following, viz.

Your majeſty having been pleaſed, by your order in council of the firſt of February, to refer unto this committee an addreſs from the houſe of repreſentatives of the province of the Maſſachuſets bay, offering the reaſon and grounds of their proceedings and concluſions againſt ſettling a fixed ſalary of one thouſand pounds per annum on the governor of that province for the time being, according to your majeſty's inſtructions to the preſent governor, and complaining againſt the governor for having adjourned the general court from Boſton to Salem; the lords of the committee did, in obedience to your majeſty's ſaid order, proceed, the ſame day, to take the ſaid addreſs into their conſideration, but being informed that the lords commiſſioners for trade and plantations had under their examination ſeveral letters from William Burnet, Eſq; your majeſty's governor of that province, relating to the behaviour of the ſaid aſſembly in this affair, the lords of the committee did thereupon ſend a copy of the ſaid addreſs to the ſaid lords commiſſioners, that they might have the whole matter before them, and directed them to report their opinion thereupon to this committee. And the ſaid lords commiſſioners having accordingly

1729. intimated to the houſe that, notwithſtanding the determination or advice of the privy council, it was not likely the affair would ever be brought before the parliament.

This

ingly conſidered the ſaid ſeveral papers and heard Mr. attorney and ſollicitor general in ſupport of your majeſty's ſaid inſtructions and alſo council in behalf of the ſaid aſſembly, have reported, upon the whole, That they ſeemed entirely averſe to ſettle a certain ſalary upon the preſent governor and thoſe which ſhall ſucceed him, yet the ſaid lords commiſſioners judge it abſolutely neceſſary that the aſſembly ſhould ſettle a fixed ſalary of £.1000 ſterling per annum, at leaſt, upon the governor, during the whole time of his government, it being abſolutely neceſſary for your majeſty's ſervice that the independency of the governor upon the aſſembly ſhould be preſerved: And that as to the complaint againſt the governor for removing the aſſembly from Boſton to Salem, his majeſty in council, upon a former complaint of this nature againſt Col. Shute, had determined that point in favor of the governor and, therefore, the lords commiſſioners were of opinion the preſent governor had acted in this matter agreeable to that determination.——

The lords of the committee hereupon beg leave to acquaint your majeſty that, notwithſtanding the ſaid lords commiſſioners for trade had fully heard all the reaſons that were offered in behalf of the ſaid aſſembly, yet, the agents of the ſaid aſſembly petitioned this committee the 19th inſtant, praying that they might be admitted to be heard before their lordſhips, who thought it proper to know upon what terms they would inſiſt, that your majeſty's attorney and ſollicitor general might be prepared to anſwer the ſame, and they deſiring to be heard upon the reaſons they had to offer why the ſaid aſſembly ſhould not ſettle a fixed ſalary upon his majeſty's governor of that province during the whole time of his government, their lordſhips appointed this day for hearing them thereupon; they having accordingly attended with their council, their lordſhips heard all that was offered on their behalf againſt ſettling ſuch a fixed ſalary, and alſo heard Mr. attorney and ſollicitor general in ſupport of your majeſty's ſaid inſtructions recommending it to them: And do thereupon agree humbly to report to your majeſty,

That by the charter granted to the Maſſachuſets-bay the legiſlative power is veſted in a governor, council and aſſembly, of whom the governor alone is nominated by your majeſty; that the aſſembly is choſen annually by the people, and that the council is likewiſe choſen annually by the aſſembly in conjunction with the members of the council; that by the reaſons inſiſted on by the council for the aſſembly in refuſing to ſettle

This letter the houſe ordered to be printed. The go- 1729.
vernor in one of his meſſages calls it "an undeniable proof of their endeavours to keep the people in ignorance of the true ſtate of their affairs." It ſeems to be preferring a preſent temporary convenience, in keeping up the ſpirit of the people and diffuſing a favorable opinion of their repreſentatives, to the future real advantage of the cauſe, for ſuch a meaſure muſt weaken the hands of the agents in England and tend to bring the matter before the parliament when, otherwiſe, it might have been avoided.

THE

a fixed ſalary, it appeared, the point contended for was to bring the governor appointed by your majeſty over them into a dependence on their good will for his ſubſiſtence, which would manifeſtly tend to a leſſening of his authority and, conſequently, of that dependence which this colony ought to have upon the crown of Great-Britain, by bringing the whole legiſlative power into the hands of the people.

The power of raiſing taxes being by the charter granted to the general aſſembly, it was from thence argued that they ought to be left at liberty for the doing or omitting it as they ſhall think proper, but the words of the charter ſhew the intent of granting them this power to be that they ſhould uſe it for the ſervice of the crown, in the neceſſary defence and ſupport of your majeſty's government of the ſaid province and the protection and preſervation of the inhabitants; and that, therefore, the refuſing or neglecting to make due proviſion for the ſupport of your majeſty's governor, who is ſo eſſential a part of the government, muſt be looked upon as acting contrary to the terms of the ſaid charter and inconſiſtent with the truſt repoſed in them thereby. That, beſides the inſtruction given to the preſent governor by your majeſty for this purpoſe, inſtructions have always been given by your majeſty's predeceſſors to former governors to recommend to the aſſembly the eſtabliſhing a ſalary ſuitable to the dignity of that poſt; notwithſtanding which the aſſembly have hitherto refuſed to comply therewith, although they have by act of aſſembly ſettled a fixed ſalary or allowance of ſix ſhillings a day on themſelves and ten ſhillings a day on the council. The preſent aſſembly have indeed offered your majeſty's governor a ſalary equal to what was recommended by your majeſty's inſtructions, for the time he has been with them, but it is apprehended this was done only to tempt him to give up your majeſty's inſtructions for ſettling it for the whole time of his government. And

1729. THE governor having held ſeveral ſeſſions at Salem, without any ſucceſs he adjourned the court, to meet the 21ſt of Auguſt at Cambridge. This widened the breach, and the houſe grew warmer in their votes and meſſages, and complained that they were to be compelled to meaſures againſt their judgment, by being harraſſed and drove from one part of the province to another. The governor's friends obſerved the effect the controverſy had upon his ſpirits. In a few days, he fell ſick of a fever and died at Boſton the 7th of September. Some attributed his illneſs to his taking cold, his carriage overſetting upon the cauſeway at Cambridge, the tide being high and he falling into the water. The reſentment which had been raiſed ceaſed, with people in general, upon his death. Many amiable parts of his character revived

And here their lordſhips cannot, in juſtice to Mr. Burnet, omit taking notice that, by his ſteady purſuit of your majeſty's inſtructions and rejecting the temptations offered by the aſſembly, he has acted with the utmoſt duty to your majeſty and a juſt regard to the truſt repoſed in him as governor of that province.

Upon a due conſideration of all that has been offered on the part of the aſſembly in juſtification of their refuſing to comply with your majeſty's inſtructions, the lords of the committee cannot but agree in opinion with the lords commiſſioners for trade and plantations, that it is abſolutely neceſſary for your majeſty's ſervice and for preſerving that dependency which this colony ought to have upon Great-Britain and better ſecuring a due execution of the laws for trade and navigation, that a ſalary of £.1000 ſterling per annum ſhould be ſettled upon the governor during the whole time of his government, and conſidering that the aſſembly of the province have ſhewn ſo little regard to your majeſty's inſtructions or to thoſe of your royal predeceſſors in this behalf, which the governors, from time to time, have been directed to lay before them, the lords of the committee do adviſe your majeſty to lay the whole matter before the parliament of Great-Britain.

Her majeſty, this day, took the ſaid report into conſideration and was pleaſed, with the advice of his majeſty's privy council, to approve thereof and to order, as is hereby ordered, that one of his majeſty's principal ſecretaries of ſtate ſhould receive the pleaſure of the crown thereupon.

A true copy, Temple Stanyan.

Maſſachuſets general court records.

revived in their minds. He had been steady and inflexible in his adherence to his instructions, but discovered nothing of a grasping avaritious mind, it was the mode, more than the quantum, of his salary upon which he insisted. The naval office had generally been a post for some relation or favorite of the governor, but Col. Tailer having been lieutenant governor and in circumstances far from affluent, he generously gave the post to him, without any reserve of the issues or profits. The only instance of his undue exacting money, by some, was thought to be palliated by the established custom of the government he had quitted. This did not justify it. In his disposal of public offices, he gave the preference to such as were disposed to favor his cause, and displaced some for not favoring it, and, in some instances, he went further than good policy would allow. He did not know the temper of the people of New-England. They have a strong sense of liberty and are more easily drawn than driven. He disobliged many of his friends by removing from his posts Mr. Lynde, a gentleman of the house, esteemed by both sides for his integrity and other valuable qualities, and he acknowledged that he could assign no other reason except that the gentleman had not voted for a compliance with the instruction. However, an immoral or unfair character was a bar to office and he gave his negative to an election of a councellor, in one instance, upon that principle only. His superior talents and free and easy manner of communicating his sentiments made him the delight of men of sense and learning. His right of precedence in all companies facilitated the exercise of his natural disposition to a great share in the conversation and at the same time 'caused it to appear more excusable.' His own account of his genius was, that it was late before it budded, and that, until he was near twenty years of age, his father despaired of his ever making any figure in life. This, perhaps, might proceed from the exact severe discipline of the bishop's family, not calculated for every temper alike, and might damp and discourage his. To long and frequent religious 1729.

services

1729. ſervices at home, in his youth, he would ſometimes pleaſantly attribute his indiſpoſition to a very ſcrupulous exact attendance upon public worſhip, but this, might, really, be owing to an abhorrence of oſtentation and meer formality in religion, to avoid which, as moſt of the grave ſerious people of the province thought, he approached too near the other extreme. A little more caution and conformity to the different ages, manners, cuſtoms and even prejudices of different companies, would have been more politic, but his open undiſguiſed mind could not ſubmit to it. Being aſked to dine with an old charter ſenator who retained the cuſtom of ſaying grace ſitting, the grave gentleman deſired to know which would be more agreeable to his excellency, that grace ſhould be ſaid ſtanding or ſitting, the governor replied, ſtanding or ſitting any way or no way, juſt as you pleaſe. He ſometimes wore a cloth coat lined with velvet. It was ſaid to be expreſſive of his character. He was a firm believer of the truth of revealed religion, but a bigot to no particular profeſſion among chriſtians and laid little ſtreſs upon modes and forms. By a clauſe in his laſt will, he ordered his body to be buried, if he died at New-York, by his wife, if in any other part of the world, in the neareſt church-yard or burying ground, all places being alike to God's allſeeing eye.

THE aſſembly ordered a very honorable funeral at the public charge. A motion, at another time, was made in the houſe for a grant to a governor to bear the expence of his lady's funeral, a dry old repreſentative objected to a grant for a governor's lady, had the motion been for a grant to bury the governor, he ſhould have thought the money well laid out.

MR. Dummer reaſſumed the adminiſtration. He did not intend to enter into the controverſy about the ſalary, no advantage could ariſe from it, no new arguments could be uſed, the king's inſtructions were to be his rule, and he would not depart from them by accepting any grant as lieutenant governor; but the affair having been under conſideration before his majeſty in council and further proceedings expected, he would wait for further intel-

gen-

gence and directions. The houſe were not willing to admit that the inſtruction had any reſpect to the ſalary of a lieutenant governor, but if it had, they had given ſufficient reaſons againſt it, and were determined to come into no act for fixing a ſalary. Having continued the ſeſſion at Cambridge until the 26th of September, he ordered an adjournment to the 29th of November, at Boſton, which was a further indication that he did not intend to preſs the inſtruction; however, at their firſt coming together, he recommended to them a compliance with it and, upon their aſſuring him, by a meſſage, that, although they could not ſettle a ſalary, yet they were ready to give him an ample and honorable ſupport, he deſired them to loſe no time about it, for he would accept of no ſupport unleſs it ſhould be exactly conformable to his majeſty's inſtruction. The houſe, notwithſtanding, made a grant of £. 750, to enable him to manage the affairs of government. The council concurred with an amendment adding 'for the half year currant' but, this being fixing a ſalary for half a year, the houſe refuſed it. 1729.

UPON the news of Mr. Burnet's death, Mr. Belcher applied with all his powers to obtain the commiſſion for the government. Governor Shute might have returned, but he declined it and generouſly gave his intereſt to Mr. Belcher who, fourteen years before, had given £.500 ſterling, which was never repaid, to facilitate Col. Shute's appointment. The controverſy, which it was ſuppoſed a governor muſt be engaged in, cauſed fewer competitors, and the miniſtry were the more concerned to find a proper perſon. Lord Townſhend aſked Mr. Wilks, who had much of his confidence, whether he thought Mr. Belcher would be able to influence the people to a compliance with the king's inſtructions, he replied that he thought no man more likely. Their chuſing him agent was a mark of their confidence in him, but it ſeemed natural to expect that they would be under ſtronger prejudices againſt him than againſt a perſon who had never engaged in their favor. Mr. Belcher's appointment occaſioned the removal of Mr. Dummer from the place

of

1729. of lieutenant governor. A young gentleman, with whose family Mr. Wilks was connected, (Mr. Thornton) Mr. Belcher had engaged to provide for, and he had no poſt in his gift, worth accepting, beſides the naval office. To make a vacancy there, Col. Tailer was appointed lieutenant governor. The pleaſure, if there was any, in ſuperſeding Mr. Dummer, who had ſuperſeded him before, could be no equivalent for the difference between a poſt of naked honour, and a poſt of profit which gave him a comfortable living. Mr. Dummer's adminiſtration has been, juſtly, well ſpoken of. His general aim was to do public ſervice. He was compelled to ſome compliances which appeared to him the leaſt of two evils. It leſſened him in Mr. Burnet's eſteem who though the ſhould have ſhewn more fortitude; but he retired with honor, and, after ſome years, was elected into the council, where, from reſpect to his former commiſſion, he took the place of preſident, but being thought too favorable to the prerogative, after two or three years, he was left out. He ſeemed to lay this ſlight more to heart than the loſs of his commiſſion, and aimed at nothing more, the reſt of his life, than *ötium cum dignitate*, ſelecting for his friends and acquaintance men of ſenſe, virtue and religion and, enjoyed in life, for many years, that fame which, for infinitely wiſe reaſons, the great creator has implanted in every generous breaſt a deſire of, even after death.

Col. Tailer's commiſſion was received and publiſhed before Mr. Belcher's arrival and it gave him an opportunity of doing a generous thing for Mr. Dummer. A vote had paſſed the two houſes granting him nine hundred pounds, which, from a regard to his inſtructions, he had not ſigned, nor had he expreſly refuſed it, and the court having been adjourned only, not prorogued, the next meeting was conſidered as the ſame ſeſſion and Colonel Tailer ventured to ſign it, not being a grant to himſelf and not againſt the letter of his inſtructions, and it was really ſaving money to Mr. Dummer, the grant being intended for ervices to come as well as paſt, would not have been renewed, or in part only.

CHAP.

CHAP. IV.

From the arrival of Governor Belcher, in 1730, to the reimburſement of the charge of the expedition againſt Cape-Breton and the abolition of paper money, in 1749.

MR. Belcher arrived the beginning of Auguſt in the Blandford man of war, Capt. Prothero. 1730.

We approach ſo near to the preſent day that, for this reaſon as well as thoſe I have mentioned in my preface, I ſhall give a more general account of affairs.

No governor had been received with a ſhew of greater joy. Both parties ſuppoſed they had an intereſt in him. For men to alter their principles and practice, according to their intereſt, was no new thing. A ſketch of Mr. Belcher's life and character will in ſome meaſure account for his obtaining the government, for the principal events in his adminiſtration and for the loſs of his commiſſion.

BEING the only ſon of a wealthy father, he had high views from the beginning of life. After an accademical education in his own country, he travelled to Europe, was twice at Hanover, and was introduced to the court there, at the time when the princeſs Sophia was the preſumptive heireſs to the Britiſh crown. The novelty of a Britiſh American, added to the gracefulneſs of his perſon, cauſed diſtinguiſhing notice to be taken of him, which tended to increaſe that aſpiring turn of mind which was very natural to him. Some years after,

1730. he made another voyage to England, being then engaged in mercantile affairs, which, after his return home, proved, in the general courſe of them, rather unſucceſsful, and ſeem to have ſuppreſſed or abated the ruling paſſion, but, being choſen agent for the houſe of repreſentatives, it revived and was gratified to the utmoſt, by his appointment to the government of Maſſachuſets-bay and New-Hampſhire, and diſcovered itſelf in every part of his adminiſtration. Before he was governor, except in one inſtance, he had always been a favorer of the prerogative, and afterwards he did not fail of acting up to his principles. A man of high principles cannot be too jealous of himſelf, upon a ſudden advancement to a place of power. The council never enjoyed leſs freedom than in his time. He propoſed matters for the ſake of their ſanction rather than advice, rarely failing of a majority to approve of his ſentiments.

HE lived elegantly in his family, was hoſpitable, made great ſhew in dreſs, equipage, &c. and although by the depreciation of the currency he was curtailed of his ſalary, yet he diſdained any unwarrantable or mean ways of obtaining money to ſupply his expences. By great freedom in converſation and an unreſerved cenſure of perſons whoſe principles or conduct he diſapproved, he made himſelf many enemies. In a private perſon, this may often paſs with little notice, but from a governor it is very hardly forgot, and ſome never ceaſed purſuing revenge until they ſaw him diſplaced.

THE general court met the 9th of September.* The people waited with impatience the governor's firſt ſpeech. Many flattered themſelves that the inſtruction for a fixed ſalary was withdrawn, others that, if it was continued, he would treat it rather as Dudley and Shute had done than as his immediate predeceſſor, others who did not expect a relaxation were, from curioſity, wiſhing to know how he would acquit himſelf with the people who ſent him to England to oppoſe the inſtruction.—After premiſing, that the honor of the crown and intereſt of

* At Cambridge, the ſmall-pox being in Boſton.

of Great-Britain are very compatible with the privi- 1730.
leges and liberties of the plantations, he tells the two houſes that he had it in command from his royal maſter to communicate to them his 27th inſtruction, reſpecting the governor's ſupport, that whilſt he was in England he did every thing conſiſtent with reaſon and juſtice for preſerving and lengthening out the peace and welfare of the province, that they were no ſtrangers to the ſteps taken by his majeſty with reſpect to the unhappy diſpute between the late governor and them and, he hoped, after ſuch a ſtruggle, they would think it for the true intereſt of the province to do what might be perfectly acceptable; that nothing prevented this controverſy, and ſeveral other matters of dangerous conſequence, being laid before the parliament, but his majeſty's great clemity and goodneſs, which inclined him to give them ne opportunity more of paying a due regard to what in is royal wiſdom he thinks ſo juſt and reaſonable. Had e ſtopped here, perhaps, leſs could not have been exected from him; but he unfortunately attempted to ew a ſimilitude between the caſe of Cato ſhut up in tica, and the Maſſachuſets-bay under the reſtraint of e royal inſtruction, commended the wiſdom of Cato in king ſo brave a ſtand for the liberties of his country, t condemned his putting an end to his life, when affairs came deſperate, rather than ſubmit to a power he could longer reſiſt; which inſtance he brought as ſome illration of the late controverſy, though he would not ow it to run parallel, Cæſar being a tyrant and the g the protector of the liberties of his ſubjects.

IT was ſaid, upon this occaſion, that the governor ſt allow that the Maſſachuſets aſſembly had done ely hitherto in defending their liberties, for, otherſe, he had brought an inſtance of a caſe in no one reſt ſimilar to theirs; and, if they had done ſo, it was auſe the inſtruction was a meer exertion of power, then the parallel would run farther than he was ing to allow.

1730. THE inſtruction was conceived in much ſtronge terms than that to governor Burnet, and it is declare that in caſe the aſſembly refuſes to conform to it "hi majeſty will find himſelf under a neceſſity of laying th undutiful behavior of the province before the legiſla ture of Great-Britain not only in this ſingle inſtanc but in many others of the ſame nature and tendenc whereby it manifeſtly appears that this aſſembly, for ſom years laſt paſt, have attempted by unwarrantable practic to weaken if not caſt off the obedience they owe to th crown and the dependance which all colonies ought have on their mother country." And in the cloſe the inſtruction his majeſty expects "that they do fort with comply with this propoſal as the laſt ſignificati of our royal pleaſure to them upon this ſubject, and the ſaid aſſembly ſhall not think fit to comply therewit it is our will and pleaſure and you are required imm diately to come over to this kingdom of Great-Brita in order to give us an exact account of all that ſhall ha paſſed upon this ſubject, that we may lay the fa before our parliament."

THE houſe proceeded juſt as they had done w governor Burnet. They made a grant to Mr. Belch of £.1000 currency for defreying the expence of voyage to New-England and as a gratuity for ſervi while in England;* and, ſome time after, they voted h

* Five hundred pounds was alſo granted to the governor fo ſervices in England, as agent for the houſe of repreſentati and the ſum of £. 1503 1s. 1d. which had been advanced merchants in Boſton and others and ſupplied the agents, alſo granted to be paid out of the public treaſury, and to ſeveral perſons reſpectively. The honor of the governor had ſpent the money, as well as that of the houſe, was conc ed. The council, although in general the ſame perſons had refuſed to conſent to any grant of money for the uſe o agent in the choice of whom they had no ſhare, were prev upon by the governor and the influence of a great numb the principal merchants of Boſton who had advanced money, to conſent to a grant for the re-payment of it houſe expecting the like difficulty might ariſe upon a like

a ſum equal to a thouſand pounds ſterling, to enable him to manage the public affairs, &c. but would fix no time. The council concurred it with an amendment, viz. "and that the ſame ſum be annually allowed for the governor's ſupport." This, without a fund for the payment of it, was doing little more than the houſe had repeatedly done by their declarations that they doubted not future aſſemblies would make the like honorable proviſion for the ſupport governor's according to the ability of the province; the amendment, notwithſtanding, was not agreed to, and the houſe adhered to their own vote. This produced a ſecond amendment, viz. "that the ſame ſum ſhould be annually paid during his excellency's continuance in the government and reſidence here;" but this alſo was nonconcurred. The two houſes then conferred upon the ſubject,† the governor being preſent,‡ and before they parted he made a long ſpeech, expreſſing the great pleaſure the council had given him in the part 1730.

 they

ſion in future time, took this favorable opportunity of paſſing a vote for the taking the ſum of five hundred pounds ſterling out of the province treaſury and depoſiting it in the bank of England for the uſe of the houſe. To this vote the council gave their concurrence and the governor his conſent. He repented of it afterwards, when he found the agent employed by the houſe and ſupported with this money, was the principal promoter of the complaints againſt him which cauſed his removal from the government.

† This was a matter of money which the houſe ſometimes refuſe to confer upon, but they have been unſteady in this reſpect.

‡ It is unuſual for governors to be preſent at a conference, between the two houſes. Mr. Shirley being deſirous of acquainting himſelf with the arguments on both ſides in ſome affair in controverſy between the two houſes, intimated to the council his inclination to be preſent. When the houſe came up the ſpeaker, Mr. Cuſhing, ſeeing the governor in the chair, ſtarted back and remaining at the door of the council chamber, expreſſed his ſurprize at ſeeing his excellency in the chair, the conference being intended between the two houſes only, but if his excellency intended to remain in the chair, only to hear the arguments, he imagined the houſe would have no objection to conferring in his preſence. This the governor conſented to declaring he would not interfere,

1730. they had taken and his concern and ſurprize at the conduct of the houſe, in running the riſque of the conſequences of their refuſal to comply with the inſtruction, reminded them of the vaſt expence which their former unſucceſsful diſputes with their governors had occaſioned to the province, but uſed no arguments to convince them of the reaſonableneſs of the demand and its compatibility with their rights and privileges.

THE ſmall-pox being in the town of Cambridge, where the court ſat, the houſe deſired to riſe, but the governor let them know he would meet them in any other town and, the ſame day, ordered an adjournment to Roxbury, where a bill paſſed both houſes for the ſupport of the governor, but, not coming up to the inſtruction, the governor could not conſent to it. The country party in the houſe, as much a ſolœciſm as it is, were the moſt zealous for the prerogative, and, except a few prerogative men who were always willing to fix the ſalary, none went ſo great a length, at this time, towards fixing it as thoſe who oppoſed any one ſtep towards it, under Mr. Burnet.

THE people, in general, were well pleaſed with the governor. It is not improbable that he would have obtained the ſettlement of a ſalary during his adminiſtration, if it had not been, in effect, a ſettlement for his ſucceſſors alſo, for ſuch a precedent could not eaſily have been reſiſted. The two parties which had long ſubſiſted in the government were vying, each with the other, in meaſures for an expedient or accommodation. The prerogative men were Mr. Belcher's old friends, who were pretty well ſatisfied that his going over to the other ſide was not from any real affection to the cauſe, and that he muſt, ſooner or later, differ with thoſe who adhered to it, and for this event they waited patiently. The other party, by whoſe intereſt he had been ſent to England, adhered to him, expecting their reward. Accordingly, Mr. Cooke was ſoon appointed a juſtice of the common pleas for the county of Suffolk.

To

To make way for him and another favorite, Col. Byfield, 1730.
to whom Mr. Belcher was allied, two gentlemen, Col. Hutchinſon and Col. Dudley, were diſplaced. They were both in principle ſteady friends to government, and the firſt of them was a faſt friend to the governor. Mr. Belcher would not have been able to advance ſo many of his friends as he did, if he had not perſuaded the council that, upon the appointment of a new governor, it was neceſſary to renew all civil commiſſions. Having obtained this point, he took the moſt convenient time to ſettle the ſeveral counties. Before he ſettled the county of York, he recommended to the judges a perſon for clerk of the court. This officer the province law impowers the judges to appoint. Some of them ſent their excuſe, being well ſatisfied with the clerk they had, who was a faithful well approved officer, but the governor let the judges know, if he could not appoint a clerk he could a judge, and accordingly removed thoſe who were not for his purpoſe and appointed others in their ſtead.* There was an inconſiſtency, in delaying appointments, with the principles he advanced. If new commiſſions were neceſſary, they were neceſſary immediately, and they might as well be delayed ſeven years as one.†

* It was ſaid that when Mr. Belcher, ſome years after, was ordered by the king to remove his ſon in law, Mr. Lyde, from the naval office, the power of appointment to which office is, by act of parliament, given to the governor, he was adviſed to make an excuſe, Mr. Lyde being an officer who gave general ſatisfaction; but Mr. Belcher replied, that although the king could not make a naval officer yet he could make a governor, and he was forced to give up his ſon in law. *Nec lex eſt juſtior ulla*—— This was the firſt inſtance of an appointment made by the crown immediately to this office and, I think, to any office in the province the nomination to which is by the charter and royal commiſſion left to the judgment and diſcretion of the governor.

† The commiſſions to civil officers being in the king's name and teſted by the governor, the renewal of ſuch commiſſions upon the appointment of a governor has not been practiſed ſince Mr. Belcher's time. It was propoſed in council by his ſucceſſor, but

1731. Two or three ſeſſions paſſed, when little more was done, on the governor's part, than repeating his demand for a fixed ſalary and intimating that he ſhould be obliged to go to England and render an account of their behavior to the king. The major part of the houſe were very deſirous of giving ſatisfaction to the governor and to their conſtituents both, but that could not be. Mr. Cooke's friends in the town of Boſton began to be jealous of him. A bill was prepared, which ſets forth in the preamble, that ſettling the ſalary would deprive the people of their rights as Engliſhmen. In the purview, after granting £.3400, which was about equal to £.1000 ſterling, it is further enacted that as his majeſty had been graciouſly pleaſed to appoint J. B. Eſq; to be the governor, who was a native of the country, whoſe fortune was here, who, when a member of the council, as well as when in a private ſtation, has always conſulted the

but Mr. Read, a very eminent lawyer and, which is more, a perſon of great integrity and firmneſs of mind, being then a member of the council, brought ſuch arguments againſt the practice that the majority of the board refuſed to conſent to it. Beſides this general new appointment, Mr. Belcher, in the courſe of his adminiſtration, made more frequent removals of perſons from office than any governor before or ſince. This was owing to the puſillanimity of the council. No appointment can be made without their advice. The governor, it is true, can refuſe his conſent, every year, to their election, but the emoluments of a Maſſachuſets councellor are very ſmall and can cauſe no great temptation to ſacrifice virtue. It is ſaid that one of the judges of the ſuperior court expecting to be removed, in the latter part of Mr. Belcher's adminiſtration, applied by a friend in England to lord chief juſtice Willes, who ſignified his reſolution that if any judge ſhould be removed, without good reaſon aſſigned, he would himſelf complain to his majeſty againſt the governor. The freedom and independence of the judges of England is always enumerated among the excellencies of the conſtitution. The Maſſachuſets judges are far from independent. In Mr. Belcher's adminiſtration they were peculiarly dependent upon the governor. Before and ſince they have been dependent upon the aſſembly for their ſalary, granted annually, which ſometimes has been delayed, ſometimes diminiſhed, and rarely eſcapes being a ſubject of debate and altercation.

the true intereſt of his country as well as the honor and dignity of the crown, therefore, it is moſt ſolemnly promiſed and engaged to his moſt excellent majeſty that there ſhall be granted the like ſum for the like purpoſe at the beginning of the ſeſſions in May every year during the governor's continuance in the adminiſtration and reſidence within the province, provided, this act ſhall not be pleaded as a precedent or binding on any future aſſembly for fixing a ſalary on any ſucceeding governor. The bill is in Mr. Cooke's hand writing and it is minuted at the bottom that the governor approved of it. The governor could not imagine ſo evaſive a thing could be approved in England. He might hope to improve it as being a further advance than had been before made, and, by uſing this argument, that it would be much more rational for the houſe to do what they now had fully in their power to do, than to make a ſolemn promiſe that another houſe ſhould do the ſame thing, the performance of which promiſe they would not have in their own power. The ſcheme failed, the bill did not paſs and from that time Mr. Belcher, deſpairing of carrying his point, turned his thought to obtaining a relaxation of his inſtruction. Inſtead of applying himſelf, he adviſed to an addreſs from the houſe, not for the withdraw of the inſtruction but that the governor might have leave to receive the ſum granted. This was allowed, but it was to be underſtood that, he was to inſiſt upon a compliance with his inſtruction as much as ever. Leave for conſent to particular grants was obtained two or three years and, at length, a general order of leave to receive ſuch ſums as ſhould be granted. This was the iſſue of the controverſy about a fixed ſalary. Until Mr. Belcher's arrival, Mr. Cooke had differed from moſt who, from time to time, have been recorded in hiſtory for popular men. Generally, to preſerve the favor of the people, they muſt change with the popular air, and when we ſurvey a courſe of action it will not appear altogether conſiſtent. He had the 1731.

art

1732. art of keeping the people ſteady in the applauſe of his meaſures. To be careful never to depart from the appearance of maintaining or enlarging rights, liberties and privileges was all he found neceſſary. Aſſoon as he was defective in this reſpect and tried to ſecure his intereſt both with the governor and town of Boſton he had like to have loſt both. In the election of repreſentatives for Boſton, in 1733 or 1734 the governor's party appeared againſt him, he had loſt many of the other party by what they called too great a compliance and he had a majority, after ſeveral trials, of one or two votes only in ſix or ſeven hundred.

THE diſpute about the manner of iſſuing money out of the treaſury was ſettled unfavorably for the houſe. The charter provides, that all money ſhall be iſſued by warrant from the governor with advice and conſent of the council. Until the year 1720 the money was brought into the treaſury, by a vote or act originating in the houſe, and deſtined to certain purpoſes, and drawn out for thoſe purpoſes by warrant from the governor with advice &c. but after that, the houſe not only deſtined the money, when put into the treaſury, but provided that none of it, except ſome trifling ſums for expreſſes and the like, ſhould be iſſued without a vote of the whole court for payment. After ſuch a vote they were willing the governor ſhould give his warrant. This appeared in the king to render his governor contemptible and intirely to defeat the proviſion in the charter, and there was no proſpect of any relaxation of the inſtruction to the governor. When the ſervants of the government had ſuffered a long time for want of their money the houſe paſſed a bill which ſupplied the treaſury in a way not materially differing from what had been in practice before 1720.

MR. Belcher had another inſtruction not to conſent to the iſſuing any bills of credit for a longer term than thoſe were to remain currant which had before been iſſued, none of which extended beyond the year

1741.

1741. It would have been but a ſmall burden upon the inhabitants to have paid the charges of every year and the debt which lay upon ſuch year beſides, but, inſtead of that wiſe meaſure, they ſuffered one year after another to paſs with light taxes and laid heavy burdens upon diſtant years, and the laſt year, 1741, had more laid upon it than any four or five preceding years, and although even this was far ſhort of what has been paid in ſome ſucceeding years, yet it was deemed an inſupportable burden and it was generally ſuppoſed the promiſes made by the acts of government to draw in the bills in that year would by ſome means or other be evaded or openly violated. Mr. Belcher ſeemed determined to adhere to his inſtruction and there was an expectation of ſome great convulſion which, was prevented by his being ſuperſeded before that period arrived. 1732.

THE project we have taken notice of, p. 173, for ſettling the eaſtern country, Captain Coram purſued until he procured an order or inſtruction to Col. Phillips, the governor of Nova-Scotia, in 1730, to take poſſeſſion of the land between St. Croix and Kennebeck, and 30 men with an officer were ſent to the fort at Pemaquid, built by the Maſſachuſets. Col. Dunbar, a gentleman out of employ, came over about the ſame time, took the command of the fort and aſſumed the government of that part of the province. Mr. Belcher was applied to by the proprietors of the lands there, and the houſe of repreſentatives aſſerted the right of the province. The governor with advice of council iſſued a proclamation requiring the inhabitants to remain in their obedience and due ſubjection to the laws and government of the province. This ſeems to have been all that in prudence he could do. Some were for taking further meaſures to remove Dunbar which, as he had a royal commiſſion, however liable to exceptions, Mr. Belcher thonght by no means warrantable. The minds of the people were inflamed and when Dunbar came up to Boſton he perſiſted in his claim to the country which, with reports of

ſome

1732. ſome not very decent expreſſions of the governor, raiſed the reſentment of many. Perſons of ill deſign perhaps might have been able to have cauſed a tumult. The lands indeed were claimed by a few particular perſons, but it was ſpread abroad that when this country ſhould be detached from the reſt of the province the ſupplies of fewel to the ſea-port towns would ceaſe or be burdened with heavy duties and the poor oppreſſed. It happened that Mr. Samuel Waldo, a gentleman of good capacity and who would not eaſily relinquiſh his right, undertook for the proprietors of the principal tract of the country claimed and, upon repreſentation to his majeſty in council the order to Phillips and the authority to Dunbar were revoked in 1732, and the government of the province afterwards thought it proper to place a garriſon in their own pay at Fort Frederick, the name given by Dunbar to the fort at Pemaquid.

I ſhall take notice of two or three only and thoſe the moſt remarkable events during the reſt of Mr. Belcher's adminiſtration.

1733. In 1733 there was a general complaint throughout the four governments of New-England of the unuſual ſcarcity of money. There was as large a ſum current in bills of credit as ever, but the bills having depreciated they anſwered the purpoſes of money ſo much leſs in proportion. The Maſſachuſets and New-Hampſhire were clogged with royal inſtructions. It was owing to them that thoſe governments had not iſſued bills to as great an amount as Rhode-Iſland. Connecticut, although under no reſtraint, yet, conſiſting of more huſbandmen and fewer traders than the reſt, did not ſo much feel the want of money. The Maſſachuſets people were diſſatisfied that Rhode-Iſland ſhould ſend their bills among them and take away their ſubſtance and employ it in trade, and many people wiſhed to ſee the bills of each government current within the limits of ſuch government only. In the midſt of this diſcontent, Rhode Iſland paſſed an act for iſſuing £. 100,000 upon loan,

for

for, I think, 20 years to their own inhabitants, who would immediately have it in their power to add £.100,000 to their trading ſtock from the horſes, ſheep, lumber, fiſh, &c. of the Maſſachuſets inhabitants. The merchants of Boſton therefore confederated and mutually promiſed and engaged not to receive any bills of this new emiſſion, but, to provide a currency, a large number formed themſelves into a company entred into covenants, choſe directors, &c. and iſſued £.110,000 redeemable in 10 years, in ſilver at 19ſ. per oz. the then current rate, or gold in proportion, a tenth part annually. About the ſame time the Maſſachuſets treaſury, which had been long ſhut was opened, and the debts of two or three years were all paid at one time in bills of credit; to this was added the ordinary emiſſions of bills from New-Hampſhire and Connecticut, and ſome of the Boſton merchants, tempted by an opportunity of ſelling their Engliſh goods, having broke through their engagements and received the Rhode-Iſland bills, all the reſt ſoon followed the example. All theſe emiſſions made a flood of money, ſilver roſe from 19ſ. to 27ſ. the oz. and exchange with all other countries conſequently roſe alſo, and every creditor was defrauded of about one third of his juſt dues. Aſſoon as ſilver roſe to 27ſ. the notes iſſued by the merchants payable at 19ſ, were hoarded up and no longer anſwered the purpoſes of money. Although the currency was leſſened by taking away the notes, yet what remanied never increaſed in value, ſilver continuing ſeveral years about the ſame rate, until it took another large jump. Thus very great injuſtice was cauſed by this wretched paper currency and no relief of any ſort obtained; for, by this ſinking in value, though the nominal ſum was higher than it had ever been before, yet the currency would produce no more ſterling money than it would have done before the late emiſſions were made.* 1733.

In

* William Tailer, Eſq; the lieut. governor, dying in 1732, in 1733 Spencer Phips, Eſq; nephew by the ſiſter and adopted ſon

to

1737. IN 1737, a controverſy which had long ſubſiſted between the two governments of Maſſachuſets-bay and New-Hampſhire was heard by commiſſioners for that purpoſe appointed by the crown. Various attempts had been made to ſettle this diſpute, and it had been often recommended by the crown to the aſſemblies of the two provinces to agree upon arbitrators from neighbouring governments and to paſs acts which ſhould bind each province to be ſubject to their determinations. Several ſuch acts paſſed, but they were not exactly conformable one to the other, or the operation of them was by ſome means or other obſtructed. The Maſſachuſets refuſed terms which, afterwards, they would gladly have accepted. They have done the like in other controverſies. Long poſſeſſion cauſed them to be loth to concede any part of the territory. New-Hampſhire took its name from the grants made by the council of Plimouth to captain John Maſon. Of theſe there had been four or five all containing more or leſs of the ſame lands. Exceptions were taken to all of them, and that which was the leaſt imperfect was dated after the grant of Maſſachuſets-bay, ſo that the whole controverſy turned upon the conſtruction of the Maſſachuſets charters. The firſt charter made the northern boundary to be three miles to the northward of Merrimack river, or to the northward of any and every part thereof. After running weſtward about 30 miles from the ſea the river alters its courſe and tends to the north, or, to ſpeak with more propriety, having run from its crotch or the meeting of Pemigewaſſet river and Winnepiſſiauke pond to the ſouthward about 50 miles, it then tends to the eaſtward about 30 miles, until it empties into the ſea. It was urged by the advocates for Maſſachuſets colony that their boundary was to be three miles to the northward of the northernmoſt part of the river and to extend eaſt and weſt from the Atlantic to the South ſea.

This

to Sir William Phips, ſucceeded. Mr. Belcher uſed his intereſt for Adam Winthrop, Eſq; Both Winthrop and Phips had been ſeveral years members of the council.

This ſwallowed up all New-Hampſhire and the greateſt part of the province of Main. At a hearing before the king in council in 1677 the agents for Maſſachuſets, by advice, diſclaimed all right of juriſdiction beyond the three miles north of the river accordiug to the courſe, and it was determined they had a right as far as the river extended, but how far the river did extend was not then expreſsly mentioned. It ſeems however not to have been doubted, for although at the time of the grant of the firſt charter it does not appear that the courſe was known any great diſtance from the ſea yet, ſoon after the government was transferred from Old England to New, it was as well known by the name of Merrimack as far as Penicook as it is at this day, and the tribe of Indians which dwelt there had a correſpondence with the Engliſh, and in 1639 perſons were employed by the government of Maſſachuſets to explore that part of the country and there are ſtill preſerved the teſtimonies of divers perſons declaring that they before that time always underſtood the river to be called by the ſame name, from the crotch to the mouth. If the firſt charter of the Maſſachuſets had continued it is not probable any different conſtruction would ever have been ſtarted; but in the new charter the boundary is thus expreſſed, "extending from the great river commonly called Monomack alias Merrimack on the north part and from three miles northward of the ſaid river to the atlantick or weſtern ſea or ocean on the ſouth part, &c. The whole, however of the old colony being included in the new province, many years paſſed without any thought of a different conſtruction of bounds in the two charters and the diſputes between New-Hampſhire and the Maſſachuſets have been, principally, concerning the towns of Saliſbury and Haverhill which, when firſt granted by the Maſſachuſets, were made to extend more than three miles from the river and the part beyond the three miles remained under the juriſdiction by which they had been granted, which New-Hampſhire complained of. A new 1737.

line,

1737. line, to begin three miles north of the mouth of Merrimack and ſo run weſt to the ſouth ſea, is a modern conſtruction. Some hints had been given of ſuch a line, before or about the year 1726, and it was ſuppoſed by New Hampſhire that the Maſſachuſets were induced thereby to make grants of townſhips between Merrimack and Connecticut river, in order to ſtrengthen their title by poſſeſſion. Still there was a proſpect of accommodation and, in the year 1731, the committees from the aſſemblies of the two provinces differed only upon the point of equivalents, the Maſſachuſets deſiring to retain under their juriſdiction the whole of thoſe towns which lay upon the river and to give other lands as an equivalent for the property; but about the ſame time the gentlemen of New-Hampſhire who had for many years before been at the helm thinking, and perhaps juſtly, that they were not well treated by Mr. Belcher, determined to exert themſelves to obtain a governor for that province and to remain no longer under the ſame governor with the Maſſachuſets. They had but little chance for this unleſs they could enlarge their bounds. The very propoſal of a diſtinct government as it increaſed the number of officers of the crown they thought would be a favorable circumſtance in ſettling the controverſy with Maſſachuſets.

THE houſe of repreſentatives of New Hampſhire Oct. 7, 1731, by a vote appointed John Rindge, Eſq; merchant there who was bound to England, their agent to ſollicit the ſettlement of the boundaries. But their main dependance was upon Mr. Thomlinſon, a gentleman who had been in New Hampſhire, and was then a merchant of note in London, and perhaps was as capable of conducting their cauſe as any perſon they could have pitched upon. He had the friendſhip of Col. Bladen who at that day had great weight in the board of trade and had conceived very unfavorable ſentiments of the Maſſachuſets in general and did not like Mr. Belcher the governor. He employed a ſollicitor, Ferdinando Paris, one of the firſt rate and who had a peculiar talent at ſlurring the character

characters of his antagoniſts. Many of his briefs which I have ſeen, abound in this way. The firſt ſtep in conſequence of Mr. Rindge's petition was a queſtion ſent by the lords of trade to the attorney and ſollicitor general for their opinion, "From what part of Merrimack river the three miles from whence the dividing line between the province of New-Hampſhire and the province of the Maſſachuſets bay is to begin, ought to be taken according to the intent of the charter of William and Mary." This was a plain intimation that if the point where to begin could be ſettled, nothing more was neceſſary, the weſt line claimed by New-Hampſhire was to follow of courſe. The Maſſachuſets agent (Mr. Wilks) by his council would ſay nothing upon the queſtion, becauſe it would not determine the matters in diſpute. Report was made, however, that it ought to begin three miles north of the mouth of Merrimack river. It was then propoſed that commiſſioners ſhould be appointed to ſettle this controverſy. This the Maſſachuſets were averſe to, unleſs they knew who they were to be. They were at the ſame time afraid of it's being determined in England, *ex parte*, if they ſhould refuſe to conſent. A committee of the general court reported that the agent ſhould be inſtructed that the province would agree to commiſſioners to be appointed, to ſettle the controverſy, here. This report was accepted, the houſe intending the commiſſioners ſhould be agreed upon by the two governments, ſome of the committee intending the agent ſhould underſtand his inſtructions, to conſent to the appointment of commiſſioners provided they ſat here or in one of the two governments. A comma after the word *appointed* and after the word *controverſy* would give the ſenſe of the houſe, the laſt comma left out it might be taken in the ſenſe of the committee, but as it is moſt probable the letter had no regular pointing their meaning was to be gueſſed at. 1737.

THIS was treating the agent ill, and he was cenſured by the houſe for not obſerving his inſtructions. I have

1737. heard this account of the affair from ſome of the committee, who excuſed themſelves for this equivocal report as being neceſſary for the public ſervice, the houſe not being willing to conſent to an explicit ſubmiſſion. It was made a condition of the ſubmiſſion that private property ſhould not be affected. The miniſtry in later inſtances have not waited for an expreſs ſubmiſſion but have appointed commiſſioners upon application from one party only.

THE commiſſioners were all ſuch as the New-Hampſhire agent propoſed, five councellors from each of the governments of New-York, Rhode-Iſland and Nova-Scotia. With the two former governments the Maſſachuſets were then in controverſy about lines. The latter it was ſaid was diſaffected to charter government. Connecticut, propoſed by Maſſachuſets, was rejected becauſe of a bias from their trade, religion, &c. which New-Hampſhire was afraid of. The place for the meeting of commiſſioners was Hampton in New-Hampſhire, the firſt of Auguſt.

THE commiſſioners from Nova Scotia, with ſome of Rhode-Iſland, met at the time appointed and were afterwards joined by Mr. Livingſtone from New-York, who preſided. After many weeks ſpent in hearing the parties and examining their evidence, the only doubt in the commiſſioners minds was, whether the Maſſachuſets new charter comprehended the whole of the old colony. Not being able to ſatisfy themſelves, and perhaps not being unwilling to avoid the determination, they agreed to make a ſpecial judgment or decree, the ſubſtance of which was, that, if the charter of William and Mary grants to the Maſſachuſets-bay all the lands granted by the charter of Charles the firſt, they then adjudge a curve line to begin three miles north of the mouth of the river and to keep the ſame diſtance from the river as far as the crotch or parting at Pemigewaſſet and Winepeſiaukee and then to run weſt towards the ſouth ſea until it meets with his majeſty's other gover-

men-

ments, but if the charter of William and Mary did not 1737.
contain &c. then they adjudge a weſt line to begin at the ſame place three miles north of the mouth and to run to the ſouth ſea. This point in doubt they ſubmitted to his majeſty's royal pleaſure.

THE Maſſachuſets were ſure of their cauſe. It was impoſſible, they thought, conſiſtent with common ſenſe, that the point in doubt ſhould be determined againſt them. They thought it ſafeſt however to ſend to England a ſpecial agent, Edmund Quincy, Eſq; one of the council, who had been one of the court's agents before the commiſſioners. He was joined with Mr. Wilks, and Mr. Belcher by his intereſt prevailed upon the aſſembly to add a third, his wife's brother, Richard Partridge. Exceptions, called an appeal, were offered to the judgment of the commiſſioners. Mr. Quincy died of the ſmall pox by inoculation, ſoon after his arrival in London, the other two knew little or nothing of the controverſy. The commiſſioners, however, had rendered it as difficult to determine a line againſt the Maſſachuſets as if they had given a general judgment in their favor. The New-Hampſhire agent and ſollicitor thought of no expedient. In their brief, they pray the lords committee to report "that all the lands lying to the northward of Merrimack river which were granted by the charter of king Charles the firſt to the late colony of the Maſſachuſets-bay are not granted to the preſent province of the Maſſachuſets-bay by the charter of king William and queen Mary." This never could have been done. At the hearing, it was thought proper to lay aſide all regard to the judgment of the commiſſioners and to proceed upon an intirely new plan. No doubt was made, that the old colony was all included in the new province. The queſtion was, what were the northern bounds of the colony of Maſſachuſets-bay, which the council of Plimouth when they ſold the territory to the patentees, and the king when he granted the juriſdiction, had in contemplation. This, it was ſaid, muſt be a line three

1737. miles north of a river not fully explored, but whoſe general courſe was ſuppoſed to be eaſt and weſt. So far therefore as it afterwards appeared that the river kept this courſe, ſo far it was equitable the line ſhould continue, but, as on the one hand, if the river had altered its courſe and turned to the ſouth, it would have been inequitable to have reduced the grant to a very ſmall tract, ſo on the other hand, when it appeared to turn to the north it was inequitable to extend the grant and make a very large territory and therefore defeat other grants made about the ſame time.* It was therefore determined that the northern boundaries of Maſſachuſets bay ſhould be a line three miles from the river as far as Pantucket-falls, then to run W. 10 deg. N. until it meets New-York line.

THE Maſſachuſets thought themſelves aggrieved. They ſubmitted the controverſy to commiſſioners to be appointed by the crown, and had been fully heard. The whole proceedings of the commiſſioners were ſet aſide and, without any notice to the government, the controverſy was determined by a committee of council upon a new point on which their agent had never been inſtructed. And, however there might be the appearance of equity in the principle upon which their lordſhips proceeded, yet the Maſſachuſets ſuppoſed, if their poſſeſſion for one hundred years, together with the determination of the king in council in 1677 and the acquieſcence of all parties in this determination for about fifty years had been urged and duly weighed, the balance upon the ſole principle of equity would have been in their favor. It increaſed their mortification to find that they had loſt by this new line ſeveral hundred thouſand

* The grant to Sir Henry Roſwell and others was March 19th 1627. That to Maſon was November 7th 1629, and was to extend 60 miles from the ſea. But the river Merrimack turning to the north after about 30 miles from the ſea if the Maſſachuſets bounds had continued three miles diſtant from the river to the crotch it would comprehend more than half of Maſon's grant.

thouſand acres more than the utmoſt claim ever made by New-Hampſhire; for Merrimack river from the mouth to Pantucket-falls tending to the ſouth, it made a difference of 4 or 5 miles in breadth, the whole length of the line, between a line to run weſt from Pantucket falls and a line weſt from the black rocks. 1737.

THE diſpute about the bounds of the province of Main, which lies on the other ſide New-Hampſhire, was upon the conſtruction of the word Northweſtward. The Maſſachuſets urged that it was the evident deſign of the grantors of the province of Main to deſcribe a territory about 120 miles ſquare. At that day this was probably the reputed diſtance from Newichawannock or Piſcataqua river to Kennebeck, along the ſea coaſt, the general courſe of which was northeaſt and ſouthweſt, after going up the two rivers to the heads the lines were to run northweſtward until 120 miles were finiſhed and then a line back parallel to the line upon the ſea. The agents for New-Hampſhire, at the court of commiſſioners, inſiſted that every body underſtood northweſtward to be north a little, perhaps leſs than a quarter of a point, weſt. It not being poſſible to think of any reaſon for a line to run upon this courſe, the Maſſachuſets could ſcarce ſuppoſe the New-Hampſhire agents to be ſerious, and imagined the commiſſioners would need no other reply than that every body underſtood a line running weſtward to be a line from eaſt to weſt and by the ſame rule of conſtruction they ſuppoſed northweſtward to be from ſoutheaſt to northweſt; that northeaſtward being explained in the ſame grant to be as the coaſt lay, proved in fact to be from ſouthweſt to northeaſt. They were, however, ſurprized with the determination of the commiſſioners that northweſtward intended north two degrees weſt. Why not one degree or three degrees as well as two? From this part of the judgment the Maſſachuſets appealed. The agents in England obtained the celebrated Doctor Halley's opinion, in writing under his hand, that in the language and

1737. underſtanding of Mathematicians a line to run northweſtward is a line to run northweſt, but this opinion did not prevail and the judgment of the commiſſioners upon this point was confirmed by his majeſty in council.

IT behoved Mr. Belcher, the governor of both provinces, to carry an even hand. It happened that the general court of the Maſſachuſets, whilſt it ſat at Saliſbury on the occaſion of this controverſy, made him a grant of £.800 currency, in conſideration of the deficiency of their former grants, for his ſalary and his extraordinary expence and trouble in attending the court at a diſtance from his houſe and family. Soon after this grant, he adjourned the general courts of both provinces, in order to their determining whether to abide by the reſult of the commiſſioners or to appeal from it, but the court of New-Hampſhire was adjourned to a day or two after the Maſſachuſets court, and it was ſaid they were prevented entring the appeal within the time limited. He did not care that either aſſembly ſhould do any buſineſs when he was abſent, and therefore intended firſt to finiſh the Maſſachuſets buſineſs and immediately after proceed to New-Hampſhire.

THIS afforded matter of complaint from that province, which Mr. Belcher was called upon to anſwer, and it was determined the complaint was well founded, and it being urged that the £.800 was intended as a bribe to influence him to this meaſure, the Maſſachuſets thought their own honor concerned and joined with him in his defence, which perhaps increaſed the ſuſpicion of guilt and haſtened his removal. That I may finiſh what relates to the controverſy between the two provinces, I muſt take notice of the conduct of the Maſſachuſets upon the receiving his majeſty's order in council. The lines, by the order, were to be run by two ſurveyors, one on the part of each province, but if either province refuſed, the other was to proceed ex parte. New-Hampſhire whoſe higheſt expectations were exceeded propoſed to join but were refuſed by the Maſſachuſets,

and

and thereupon appointed ſurveyors to run the lines of 1737.
the Maſſachuſets and province of Main ex parte. Both lines were complained of as being run favorably for New Hampſhire; that of the province of Main is a ſubject of new controverſy it having been ſuggeſted that the ſurveyor miſtook the main branch of the river Newichewanock, which if he had purſued would have made 5 or 6 miles in breadth to the advantage of Maſſachuſets. This refuſal to join proceeded from the feeble irreſolute ſtate of the minds of the houſe of repreſentatives. Unwilling by any act of their own to expreſs their ſubmiſſion to what they called an unequal decree, they ran the riſque of its being carried into execution ſtill more unequally, and yet ſucceeding houſes, by a ſubſequent long continued paſſive ſubmiſſion, as effectually ſubjected the province as if it had been explicitly acknowledged at firſt.*

AFTER the controverſy about the governor's ſalary and the ſupply of the treaſury was finiſhed, there ſeemed to be a general diſpoſition to reſt, and we hear little of a party in oppoſition to the governor for ſeveral years together. Whilſt the controverſy with New-Hampſhire was depending all of every party engaged in defence of the right of the province. Beſides, Mr. Cooke, who had been many years at the head of the popular party, was worn out with ſervice and having been ſome time in a declining ſtate, died in the fall of 1737, and the town of Boſton, were ſo far from an apprehenſion of danger to their liberties that they choſe in his ſtead Mr. Wheelwright, the commiſſary general, who depended upon the governor every year for his

* I may not omit mentioning the death of Thomas Hutchinſon, Eſq; December 3d 1739, who had been of the council except two years from 1714. I wiſh that many of his poſterity may ſo juſtly deſerve the character of true friends to their country. Regardleſs of the frowns of a governor or the threats of the people he ſpoke and voted according to his judgment, attaching himſelf to no party any further than he found their meaſures tended to promote the public intereſt.

1739. approbation after being elected by the council and houſe, and in 1738 three of the repreſentatives of the town had the character of friends to government, but towards the end of the year a great clamour aroſe againſt the governor for adhering to his inſtruction about paper money and, againſt the three repreſentatives for their pernicious principles upon the ſubject of paper money, and at the town election for 1739 three others were choſen in their ſtead, two† of them profeſſedly diſaffected to the governor and promoters of popular meaſures, the third,‡ although of great integrity, and for that reaſon deſirous of a fixed currency, yet in his judgment againſt reducing the paper money and a favorer of ſchemes for preventing its depreciation. Many country towns followed the example of Boſton and it appeared that a majority of the houſe were of the ſame principles with the town members. After Mr. Belcher's arrival, the houſe, as we have obſerved, had paſſed a vote for depoſiting 500 £. ſterling in the bank of England to be uſed as they or their ſucceſſors ſhould think proper. This was concurred in council and conſented to by the governor. This money it was ſaid could not be better applied than in ſolliciting a relaxation of the governor's inſtruction concerning paper money, and Mr. Kilby one of the Boſton repreſentatives was choſen agent for the houſe and a petition was by him preſented from the houſe to his majeſty in council but it had no effect.

A general dread of drawing in all the paper money without a ſubſtitution of any other inſtrument of trade in the place of it, diſpoſed a great part of the province to favor what was called the land bank or manufactory ſcheme, which was began or rather revived in this year 1739, and produced ſuch great and laſting miſchiefs that a particular relation of the riſe, progreſs and overthrow of it may be of uſe to diſcourage and prevent any attempts of the like nature in future ages. By a ſtrange conduct in the general court they had been iſſuing bills o

† James Allen and Chriſtopher Kilby. ‡ Edward Bromfield.

of credit for 8 or 10 years annually for charges of government, and being willing to eaſe each preſent year they had put off the redemption of the bills as far as they could, but the governor being reſtrained by his inſtruction from going beyond the year 1741, that year was unreaſonably loaded with 30 or 40 thouſand pounds ſterling taxes, which according to the general opinion of the people it was impoſſible to levy, not only on account of the large ſum, but becauſe all the bills in the province were but juſt ſufficient to pay it, and there was very little ſilver or gold, which by an act of government was allowed to be paid for taxes as equivalent to the bills. A ſcheme was laid before the general court by the author of this hiſtory, then one of the repreſentatives of Boſton, in which it was propoſed to borrow in England upon intereſt and to import into the province a ſum in ſilver equal to all the bills then extant, and therewith to redeem them from poſſeſſors and furniſh a currency for the inhabitants, and to repay the ſilver at diſtant periods which would render the burden of taxes tolerable by an equal diviſion on a number of future years, and would prevent the diſtreſs of trade by the loſs of the only inſtrument, the bills of credit, without another provided in its place. But this propoſal was rejected. One great frailty of human nature, an inability or indiſpoſition to compare a diſtant, though certain inconvenience or diſtreſs with a preſent convenience or delight is ſaid by ſome ſtrangers, who come among us from Europe, to be prevalent in Americans ſo as to make it one of their diſtinguiſhing characteriſticks. Be that as it may, it is certain that at this time a great number of private perſons alledging that the preceding general court having ſuffered the province to be brought into diſtreſs from which it was not in the power of their ſucceſſors to afford relief, the royal inſtruction being a bar to any future emiſſions of bills until all that were then extant ſhould be redeemed, reſolved to interpoſe. Royal inſtructions were no bar to the proceedings of private perſons. The project 1739.

of

1740. of a bank in the year 1714 was revived. The projector of that bank now put himſelf at the head of 7 or 800 perſons, ſome few of rank and good eſtate, but generally of low condition among the plebeians and of ſmall eſtate, and many of them perhaps inſolvent. This notable company were to give credit to £. 150,000 lawful money, to be iſſued in bills, each perſon being to mortgage a real eſtate in proportion to the ſums he ſubſcribed and took out, or to give bond with two ſureties, but perſonal ſecurity was not to be taken for more than 100 £. from any one perſon. Ten directors and a treaſurer were to be choſen by the company. Every ſubſcriber or partner was to pay 3 per cent. intereſt for the ſum taken out, and 5 per cent. of the principal, and he that did not pay bills might pay the produce and manufacture of the province at ſuch rates as the directors from time to time ſhould ſet, and they ſhould commonly paſs in lawful money. The pretence was that, by thus furniſhing a medium and inſtrument of trade, not only the inhabitants in general would be better able to procure the province bills of credit for their taxes, but trade, foreign and inland, would revive and flouriſh. The fate of the project was thonght to depend upon the opinion which the general court ſhould form of it. It was neceſſary therefore to have a houſe of repreſentatives well diſpoſed. Beſides the 800 perſons ſubſcribers, the needy part of the province in general favored the ſcheme. One of their votes will go as far in popular elections as one of the moſt opulent. The former are moſt numerous and it appeared that by far the majority of the repreſentatives for 1740 were ſubſcribers to or favorers of the ſcheme, and they have ever ſince been diſtinguiſhed by the name of the land bank houſe.

MEN of eſtates and the principal merchants in the province abhorred the project and refuſed to receive the bills, but great numbers of ſhopkeepers who had lived for a long time before upon the fraud of a depreciating currency

currency, and many ſmall traders gave credit to the bills. 1740.
The directors, it was ſaid, by a vote of the company, became traders and iſſued juſt what bills they thought proper without any fund or ſecurity for their ever being redeemed. They purchaſed every ſort of commodity, ever ſo much a drug, for the ſake of puſhing off their bills and by one means or other a large ſum, perhaps fifty or ſixty thouſand pounds, was abroad. To leſſen the temptation to receive the bills, a company of merchants agreed to iſſue their notes, or bills redeemable by ſilver and gold at diſtant periods, much like the ſcheme in 1733, and attended with no better effect. The governor exerted himſelf to blaſt this fraudulent undertaking, the land bank. Not only ſuch civil and military officers as were directors or partners, but all who received and paid any of the bills were diſplaced. The governor negatived the perſon choſen ſpeaker of the houſe, being a director of the bank, and afterwards negatived 13 of the new elected councellors who were directors or partners in or reputed favorers of the ſcheme. But all was inſufficient to ſuppreſs it. Perhaps the major part, in number, of the inhabitants of the province openly or ſecretly were well wiſhers to it. One of the directors afterwards acknowledged to me that altho' he entered into the company with a view to the public intereſt yet when he found what power and influence they had in all public concerns, he was convinced it was more than belonged to them, more than they could make a good uſe of and therefore unwarrantable. Many of the moſt ſenſible diſcrete perſons in the province ſaw a general confuſion at hand. The authority of parliament to controul all public and private perſons and proceedings in the colonies was, in that day, queſtioned by no body. Application was therefore made to parliament for an act to ſuppreſs the company, which notwithſtanding the oppoſition made by their agent was very eaſily obtained, and therein it was declared that the act of the 6th of King George the firſt, chapter the eighteenth,

did,

1740. did, does and ſhall extend to the colonies and plantations in America. It was ſaid the act of George the firſt, when it paſſed, had no relation to America, but another act 20 years after gave it a force even from the paſſing it which it never could have had without. This was ſaid to be an inſtance of the tranſcendent power of parliament. Although the company was diſſolved, yet the act of parliament gave the poſſeſſors of the bills a right of action againſt every partner or director for the ſums expreſſed with intereſt. The company were in a maze. At a general meeting ſome, it was ſaid, were for running all hazards although the act ſubjected them to a præmunire, but the directors had more prudence and adviſed them to declare that they conſidered themſelves diſſolved and met only to conſult upon ſome method of redeeming their bills from the poſſeſſors, which every man engaged to endeavor in proportion to his intereſt, and to pay in to the directors or ſome of them to burn or deſtroy. Had the company iſſued their bills at the value expreſſed in the face of them, they would have had no reaſon to complain of being obliged to redeem them at the ſame rate, but as this was not the caſe in general, and many of the poſſeſſors of the bills had acquired them for half their value, as expreſſed, equity could not be done, and ſo far as reſpected the company perhaps the parliament was not very anxious, the loſs they ſuſtained being but a juſt penalty for their unwarrantable undertaking if it had been properly applied. Had not the parliament interpoſed, the province would have been in the utmoſt confuſion and the authority of government intirely in the land bank company.

WHILST Mr. Belcher, by his vigorous oppoſition to the land bank, was rendering himſelf obnoxious to one half the people of the province, meaſures were purſuing in England for his removal from the government. Beſides the attempts which we have mentioned from New Hampſhire which had never been laid aſide, there had always been a diſaffected party in Maſſachuſets who had

been

been uſing what intereſt they had in England againſt 1740.
him. Lord Wilmington preſident of the council, the ſpeaker of the houſe of commons and Sir Charles Wager, firſt Lord of the admiralty, all had a favorable opinion of Mr. Belcher, ſo had Mr. Holden who was at the head of the diſſenters in England, and all upon one occaſion or another had appeared for him.

THE moſt unfair and indirect meaſures were uſed with each of theſe perſons to render Mr. Belcher obnoxious and odious to them. The firſt inſtance was ſeveral years before this time. A letter was ſent to Sir Charles Wager in the name of five perſons whoſe hands were counterfeited, with an inſinuation that Mr. Belcher encouraged the deſtruction of the pine trees reſerved for maſts for the navy and ſuffered them to be cut into logs for boards. Forgeries of this ſort ſtrike us with more horror than falſe inſinuations in converſation, and perhaps are equally miſchievous in their effects. The latter may appear the leſs criminal becauſe abundantly more common.

AN anonymous letter was ſent to Mr. Holden, but the contents of it declared that it was the letter of many of the principal miniſters of New-England who were afraid to publiſh their names leſt Mr. Belcher ſhould ruin them. The charge againſt him was a ſecret undermining the congregational intereſt in concert with Commiſſary Price and Doctor Cutler, whilſt at the ſame time he pretended to Mr. Holden and the other diſſenters in England to have it much at heart. To remove ſuſpicion of fraud the letter was ſuperſcribed in writing either in imitation of Doctor Colman's hand, a correſpondent of Mr. Holden, or which is more probable a cover of one of his genuine letters had been taken off by a perſon, of not an unblemiſhed character, to whoſe care it was committed, and made uſe of to incloſe the ſpurious one. Truth and right are more frequently, in a high degree, violated in political conteſts and animoſities than upon any other occaſion. It was well known that

nothing

1740. nothing would more readily induce a perſon of ſo great virtue as the ſpeaker to give up Mr. Belcher than an inſtance of corruption and bribery. The New-Hampſhire agents therefore furniſhed him with the votes of the Maſſachuſets aſſembly containing the grant of £.800 and evidence of the adjournment of New-Hampſhire aſſembly, alledged to be done in conſequence, nor was he undeceived until it was too late.

MR. Wilks, the Maſſachuſets agent, who was in great eſteem with Lord Wilmington, and was really a perſon of a fair upright mind, had prevented any impreſſions to Mr. Belcher's prejudice, but it unluckily happened that the land bank company employed Richard Partridge, brother by marriage to Mr. Belcher, as their agent. He had been many years agent for his brother, which fact was well known to his lordſhip, but, from an expectation of obtaining the ſole agency of the province by the intereſt of the prevailing party there, engaged zealouſly in oppoſing the petitioners to the houſe of commons, and gave out bills at the door of the houſe. It was ſaid that all Mr. Belcher's oppoſition to the ſcheme, in the province, was meer pretence; had he been in earneſt, his agent in England would never venture to appear in ſupport of it, and this was improved with Lord Wilmington to induce him to give up Mr. Belcher and it ſucceeded. Still the removal was delayed one week after another, two gentlemen from the Maſſachuſets continually ſolliciting. At length, it being known that Lord Euſton's election for Coventry was dubious, one of theſe gentlemen undertook to the Duke of Grafton to ſecure the election, provided Mr. Belcher might immediately be removed, and, to accompliſh his deſign, he repreſented to Mr. Maltby, a large dealer in Coventry ſtuffs and a zealous diſſenter, that Mr. Belcher was, with the epiſcopal clergy, conſpiring the ruin of the congregational intereſt in New-England, and unleſs he was immediately removed it would be irrecoverably loſt that the Duke of Grafton had promiſed, if Lord Euſton's election

election could be ſecured, it ſhould be done, that letters 1740.
to his friends in Coventry would infallibly ſecure it, that he could not better employ his intereſt than in the cauſe of God and of religion. Maltby ſwallowed the bait, uſed all his intereſt for lord Euſton, the two gentlemen ſpent three weeks at Coventry, and having ſucceeded, agreable to the Duke's promiſe Mr. Belcher was removed a day or two after their return. This account I received from Mr. Maltby himſelf, who lamented that he had ſuffered himſelf to be ſo eaſily impoſed on.

A few weeks longer delay would have baffled all the ſchemes. The news arrived of his negativing 13 counſellors and diſplacing a great number of officers concerned in the land bank, and his zeal and fortitude were highly applauded when it was too late. Being in London at this time, I had opportunity of fully informing myſelf of theſe facts. Certainly, in public employments no man ought to be condemned from the reports or accuſations of a party without a ſufficient opportunity given him to exculpate himſelf, a plantation governor eſpecially, who, be he without guile, or a conſummate politician, will infallibly have a greater or leſſer number diſaffected to him.

Mr. SHIRLEY, ſucceſſor to Mr. Belcher, was a gentleman of Suſſex, bred in the law and had been in office in the city, but having proſpect of a numerous offspring, was adviſed to remove to Boſton in the Maſſachuſets, where he had reſided ſix or eight years and acquired a general eſteem, and if there muſt be a change it was ſaid to be as acceptable to have it in his favor as any perſon whoſoever. His lady was then in London and had obtained the promiſe of the collector's place for the port of Boſton and would have preferred it to the government, but a ſtrong intereſt being made for Mr. Frankland, ſince Sir Henry Frankland, there was no way of providing for both, except by giving the government to Mr. Shirley.

THE

1740. THE news came to Boſton the firſt week in July. Mr. Shirley was at Providence in Rhode Iſland government, council for the Maſſachuſets before a court of commiſſioners appointed to ſettle the line between the two governments. As I was not then in America and the records of that line are burnt, I cannot give ſo particular an account of the proceedings of thoſe commiſſioners as otherwiſe I ſhould have done. It is certain, that for divers years paſt the only part in controverſy between the two governments was a ſmall gore of land between Attleborough in Maſſachuſetts and the old townſhip of Providence. A great part of the Maſſachuſets aſſembly wiſhed it might be ceded to Rhode-Iſland, but a few tenacious men, who do not always regard conſequences, influenced a majority againſt it. Beſides a ſettlement made by commiſſioners in 1664 or 65, another ſettlement had been made or the old one confirmed in 1708, but Rhode-Iſland, encouraged by the ill ſucceſs of the Maſſachuſets in the controverſy with New-Hampſhire, applied to his majeſty to appoint commiſſioners to ſettle the line between the two governments. The conſent or ſubmiſſion of the Maſſachuſets to ſuch appointment was not thought neceſſary and, if they would not appear, the commiſſioners were to proceed ex parte. The Maſſachuſets aſſembly thought proper to appear by their committee, having no apprehenſions the controverſy would turn, in the judgment of the commiſſioners, upon a point never before relied upon, viz. that the colony of New-Plimouth having no charter from the crown, Rhode-Iſland charter muſt be the ſole rule of determining the boundary, although the patent from the council of Plimouth to Bradford and aſſociates was prior to it. The colony of New-Plimouth was a government *de facto* and conſidered by King Charles as ſuch in his letters and orders to them before and after the grant of Rhode-Iſland charter and, when the incorporation was made of New-Plimouth with Maſſachuſets, &c. the natural and legal conſtruction of the province charter

charter ſeems to be that it ſhould have relation to the time when the ſeveral governments incorporated reſpectively, in fact, became governments. A gentleman of the council of New-York had great influence at the board of commiſſioners. The argument which had been made uſe of in former controverſies, that Maſſachuſets was too extenſive and the other governments they were contending with, of which New-York was one, were too contracted, was now revived. To the ſurprize of Maſſachuſets, a line was determined which not only took from them the gore formerly in diſpute, but the towns of Briſtol, Tiverton and Little-Compton, and great part of Swanzey and Barrington.* An appeal was claimed and allowed to his majeſty in council, where, after lying four or five years, the decree of the court of commiſſioners was confirmed. In the proſecution and defence of this title, it has been ſaid, that ſome material evidence was never produced which would have ſupported the Maſſachuſets claim. 1741.

Mr. Shirley found the affairs of the province in a perplexed ſtate. The treaſury was ſhut and could not be opened without ſome deviation from the royal inſtructions, the bills of credit were reduced and nothing ſubſtituted as a currency in their ſtead, the land bank party carried every point in the houſe, there ſeemed to be a neceſſity of ſecuring them, the great art was to bring them over to his meaſures and yet not give in to their meaſures ſo as to loſe his intereſt with the reſt of the province and with the miniſtry in England. Some of the principal of them, who knew their own importance, were willing to have ſome aſſurance of favor from him, at the ſame time they engaged to do every thing to ſerve him. The firſt ſtep, on their part, was the advancement of the governor's ſalary to the full value

* All this country was conquered by Maſſachuſets and Plimouth from Philip and, to prevent diſpute, was expreſly granted to Plimouth by Charles the ſecond.

1741. of one thouſand pounds ſterling per annum. This had been moſt unjuſtifiably evaded all the latter part of Mr. Belcher's adminiſtration, by granting a ſum in bills of credit without a due regard to their depreciation. Mr. Kilby, who had been very active for Mr. Shirley's intereſt and againſt Mr. Belcher, in England, was choſen agent for the province in England, and Mr. Wilks, who had been agent the whole of the laſt adminiſtration, was laid aſide. Mr. Auchmuty, who had been one of the land bank directors, was joined with Mr. Kilby in the affair of the Rhode-Iſland line. A grant of about £.200 ſterl. was made to John Sharpe, Eſq; for his account of charge in defending Mr. Belcher againſt New-Hampſhire's complaint tot he king in council. This had been repeatedly refuſed in Mr. Belcher's time, which gave great offence to Mr. Sharpe. It was thought extraordinary that Mr. Shirley ſhould make it a point with the land bankers that this debt for his predeceſſor ſhould be paid, but to take Mr. Sharpe off from Mr. Belcher and engage him for Mr. Shirley, the friends and ſollicitors for the latter in England had engaged that if he was appointed governor Mr. Sharpe's account ſhould be paid.

BUT the grand affair to ſettle was that of the bills of credit. The inſtruction was expreſs not to conſent to any act which ſhould continue the bills beyond the time fixed for their being brought in. If this was complied with, a tax muſt have been made for the whole ſum extant in that year 1741. This it was ſaid would be a burden that the people would never bear. Mr. Shirley was ſenſible that the intent of his inſtruction was the prevention of a depreciating currency. No matter how large a ſum in bills was current if their value could be ſecured. If the ſpirit of the inſtruction could be preſerved, an exact conformity to the letter would not be required. Every ſcheme for fixing the value of the bills had failed. A new project was reported by a committee of the houſe and accepted and afterwards concurred by the council and conſented to by the governor. This was

was a ſcheme to eſtabliſh an ideal meaſure in all trade and dealings, let the inſtrument be what it would. The act which paſſed the court declared that all contracts ſhould be underſtood payable in ſilver at *6ſ.8d.* the ounce or gold in proportion. Bills of a new form were iſſued, *20ſ.* of which expreſſed in the face of the bill three ounces of ſilver and they were to be received accordingly in all public and private payments, with this ſaving that, if they ſhould depreciate in their value, an addition ſhould be made to all debts as much as the depreciation from the time of contract to the time of payment. How to aſcertain the depreciation from time to time was the great difficulty in framing the act. To leave it to a common jury would never do. There was ſome doubt whether a houſe of repreſentatives would be wholly unbiaſſed. At length it was agreed that the eldeſt counſellor in each county ſhould meet once a year and aſcertain the depreciation, This is ſaid to have been the ſcheme of Col. Stoddard of Northampton, a gentleman of good ſenſe and great virtue, who probably ſaw the defects, but hoped to ſubſtitute a leſſer evil in the place of a greater. 1741.

THIS at beſt muſt have been a very partial cure. It did not prevent the loſs from the depreciation of the bills in thoſe perſons hands through which they were continually paſſing. All debts, which were contracted and paid between the periods when the value of the bills were fixed annually, could not be affected by ſuch fixing, and unleſs in debts of long ſtanding, which the debtor could not pay without an action at law, demand was not ordinarily made for depreciation, and what rendered it of little effect in all other caſes, the counſellors appointed to eſtimate the depreciation never had firmneſs enough in any inſtance to make the full allowance, but when ſilver and exchange had roſe 20 per cent. or more, an addition was made of 4 or 5 only. The popular cry was againſt it, and one year when Nathaniel Hubbard, Eſq; the eldeſt councellor for the county of Briſtol, a

1741. gentleman of amiable character and who filled the ſeveral poſts he ſuſtained with applauſe, endeavored to approach nearer to a juſt allowance than had been made in former years, he felt the reſentment of the houſe who left him out of the council the next election. In ſhort the act neither prevented the depreciation of the bills nor afforded relief in caſe of it, and was of no other ſervice than to ſerve as a warning, when an act paſſed for the eſtabliſhing a fixed currency a few years after, to leave nothing to be done by any perſon or bodies of men, or even future legiſlatures to give the act its deſigned effect, but in the act itſelf to make full proviſion for its execution in every part.

EVEN this act which, with its fair appearance, juſtified Mr. Shirley in departing from his inſtruction, and afforded a ſupply of the treaſury for the payment of debts and future ſupport of government could not have been obtained if he had not prevailed with the land bank party, contrary to the inclinations of many of them, to join in promoting it.

HE made them return, by conſenting to any new elections that were made of any of them into the council, by reſtoring now and then one and another to the poſts they had been deprived of, which, though it was done by degrees, cauſed many who condemned the land bank and all who were concerned in it, to be very free in their cenſures upon him.

BUT the great favor they expected was relief from the ſeverity of the act of parliament. This was to be touched with great tenderneſs and delicacy. Every perſon concerned was liable to the demands of the poſſeſſors of the bills. If large demands ſhould be made upon any particular perſons it ſeemed but juſt that the reſt ſhould contribute their proportion; but no demand was given by the act to one partner againſt another in ſuch caſe. A bill was therefore prepared with a profeſſed deſign to carry the act of parliament equitably into execution. Three commiſſioners were appointed by the bill with power

power to tax all who had been concerned in the ſcheme 1741.
in proportion to their intereſt in it, and with the monies thus raiſed to redeem the companies bills from the poſſeſſors, and after the redemption of the bills to make an equitable adjuſtment between the members and the company. Great care was taken to avoid all oppoſition to the act of parliament; Mr. Shirley however did not think proper to ſign the bill until he had ſent a copy of it to England and received directions concerning it. After it had paſſed both houſes, to oblige the principal land bankers, he continued the ſeſſion of the court by long repeated adjournments many months, and before the expiration of the year gave his conſent to the bill. Having thus ſecured a conſiderable party in the government without loſing thoſe who had been in oppoſition to them, he rendered his adminiſtration eaſy, and generally obtained from the aſſembly ſuch matters as he recommended to them.

FROM the Spaniſh war in 1740, a French war was expected every year to follow. Caſtle William, the key of the province, was not only effectually repaired but a new battery of twenty 42-pounders, which takes the name of Shirley battery, was added to the works, with a larger magazine than any before, and a large ſupply of powder, all at the expence of the province. The cannon, mortars, ſhot and other ſtores were the bounty of the crown. The forts upon the frontiers were alſo put into good order, and upon a repreſentation from Mr. Maſcarene, commander in chief at Annapolis in Nova-Scotia of the defenceleſs ſtate of that province and the danger they were in from the enemy, Mr. Shirley, in 1744, prevailed upon the Maſſachuſets aſſembly to vote pay, &c. for 200 men which were ſent there and who were the probable means of ſaving that country from falling into the enemy's hands.

BUT the great event in this adminiſtration was the ſiege and reduction of Louiſburgh. Canſo had been ſurprized and taken by 900 men under Duvivier from Louiſburgh,* before the war with France was known at

* May 13. 1744.

1744. Boſton.† With another party, Duvivier made an attempt the ſame ſummer upon Annapolis, but was diſappointed. Many of our veſſels had been taken by the French men of war and privateers and carried into Louiſburgh. The fiſhermen had no intention to go upon their voyages the next ſummer, and every branch of trade, it was ſuppoſed, muſt be carried on by veſſels under convoy. It was the general voice, in the fall of the year, that Louiſburgh muſt be taken, but no body ſuppoſed that the united force of the colonies could take it; application muſt be made to his majeſty for ſea and land forces ſufficient for the purpoſe. As winter approached, it began to be ſuggeſted that it was not improbable the place might be ſurprized or taken by a *coup du main*, the inhabitants and garriſon being ſhut up within the walls. Some of the garriſon of Canſo, who had been priſoners and who profeſſed to be well acquainted with the fortifications and garriſon at Louiſburgh favored this opinion and declared that in winter the ſnow often lay in drifts or banks againſt a particular part of the wall, where there were no embrazures nor any cannon mounted, that the cruſt would bear a man's weight and, in that part at leaſt, the walls might be ſcaled and perhaps by the help of ladders it would not be difficult in other parts, that the grand battery, intended for defence in caſe of an attack by ſea, would not be capable of long reſiſting if attacked by land. Mr. Vaughan,‡ who had been a trader at Louiſburgh, was very ſanguine alſo that the place might be taken by ſurprize, and it was generally agreed that if they ſhould be miſtaken yet it would not be poſſible for the enemy, who were ſcant of proviſions, to ſtand a ſiege until the time the ſupplies uſually arrived to them from France; and, to prevent any chance veſſels from entring, a ſufficient naval force might be

† June 2d war proclaimed at Boſton.

‡ Mr. Vaughan was called the projector of the expedition. It is probable he laid before the governor a propoſal for it and it is certain he took great pains to induce the people to think favorably of it.

be provided to cruize before the harbour. Whilſt this 1744.
was the converſation abroad, Mr. Shirley was diligently enquiring of thoſe perſons who had been traders and of others who had been priſoners there, into the condition of the place, the uſual time for the arrival of ſupplies from Europe, the practicability of cruizing off the harbour, &c. He had before wrote to the miniſtry and repreſented the neceſſity of a naval force early in the ſpring for the preſervation of Annapolis. If this ſhould arrive, he might be able to prevail with the commander to cover our forces with it. Commodore Warren was with ſeveral ſhips at the Leeward Iſlands. It was poſſible, when he was acquainted with the expedition, he would come with or ſend part of his force to ſtrengthen it. Theſe were the only chances for a naval ſtrength ſufficient to cope with a ſingle capital French ſhip that might be bound to Louiſburgh in the ſpring. The miniſtry, indeed, would by expreſs be immediately acquainted with the expedition, if engaged in, but Europe was at too great diſtance to expect timely aid from thence. The plan of the expedition was, a land force of 4000 men in ſmall tranſports to proceed to Canſo, and the firſt favorable opportunity to land at Chapeaurouge bay, with cannon, mortars, ammunition and warlike ſtores, and all other neceſſaries for carrying on a ſiege and, to prevent a ſupply of proviſion and ſtores to the enemy, ſeveral veſſels were to cruize off the harbour of Louiſbourg, aſſoon as the ſeaſon of the year would permit. An eſtimate was made of all the naval force which could be procured in this and the neighbouring colonies, the largeſt veſſel not exceeding 20 guns. With this land and ſea force, it was ſaid there was a good chance for ſucceſs, and if the men of war ſhould arrive, which there was good reaſon to hope for, there was all imaginable grounds to depend upon the reduction of the place. The general court being ſitting the beginning of January, the governor ſent a meſſage to the two houſes to let them know he had ſomething to communicate to them

1745. of very great importance, but of ſuch a nature that the publiſhing it, before they ſhould come to any reſolution upon it, might wholly defeat the deſign, he therefore deſired they would lay themſelves under an oath of ſecrecy for ſuch time as each houſe ſhould think proper. This they did, altho' it was the firſt inſtance in the houſe of repreſentatives, without any ſcruple, and then he communicated to them his propoſed plan of the expedition. Many of the members who had heard little or nothing of the converſation upon the ſubject, were ſtruck with amazement at the propoſal. The undertaking they thought to be vaſtly too great, if there was a rational proſpect of ſucceſs. However, in deference to the recommendation of the governor, a committee of the two houſes were appointed to conſider the propoſal. Here, the propoſal was for ſeveral days deliberated and weighed. Louiſburgh, if left in the hands of the French, would infallibly prove the Dunkirk of New-England; their trade had always been inconſiderable, their fiſhery was upon the decline, and for ſeveral years paſt they had bought fiſh of the Engliſh at Canſo cheaper than they could catch and cure it themſelves, both trade and fiſhery they might well lay aſide, and by privateering enrich themſelves with the ſpoils of New-England; and to all theſe dangers was added that of loſing Nova Scotia, which would cauſe an increaſe of ſix or eight thouſand enemies in an inſtant. The garriſon of Louiſburg was diſaffected, proviſions were ſcant, the works mouldering and decayed, the governor an old man unſkilled in the art of war; this therefore was the only time for ſucceſs, another year the place would be impregnable. We had nothing to fear from the forces at Louiſburgh, before additional ſtrength could arrive from France they would be forced to ſurrender. We had, it muſt be owned, no ſhips of ſtrength ſufficient to match the French men of war, unleſs, perhaps, a ſingle ſhip ſhould fall in by herſelf, and in that caſe five or ſix of ours might be a match for her; but there was no probability of men of war ſo early

early and it was very probable Engliſh men of war from Europe or the Weſt-Indies would arrive before them. There was always uncertainty in war, a riſque muſt be run, if we failed we ſhould be able to grapple with the diſappointment, although we ſhould bear the whole expence, but if we ſucceeded, not only the coaſts of New-England would be free from moleſtation, but ſo glorious an acquiſition would be of the greateſt importance to Great-Britain and might give peace to Europe, and we might depend upon a reimburſement of the whole charge we had been at. 1745.

On the other hand it was replied, that we had better ſuffer in our trade than by ſo expenſive a meaſure deprive ourſelves of all means of carrying on any future trade, that we were capable of annoying them in their fiſhery, as much as they could annoy us in ours and, in a ſhort time, both ſides would be willing to leave the fiſhery unmoleſted, that the accounts given of the works and the garriſon at Louiſburgh could not be depended upon, and it was not credible that any part of the walls ſhould be unguarded and expoſed to ſurprize, that inſtances of diſaffection riſing to mutiny were rare and but few inſtances were to be met with in hiſtory where ſuch expectation has not failed. The garriſon at Louiſburgh conſiſted of regular experienced troops who, though unequal in number, would be more than a match in open field for all the raw unexperienced militia which could be ſent from New-England, that twenty cruizers at that ſeaſon of the year would not prevent ſupplies going into the harbour, it being impoſſible to keep any ſtation for any length of time, and the weather being frequently ſo thick, that a veſſel was not to be diſcovered at a quarter of a mile's diſtance, that there was no room to expect any men of war for the cover of our troops, that if only one 60 gun ſhip ſhould arrive from France, or the French iſlands, ſhe would be more than a match for all the armed veſſels we could provide, our tranſports at Chapeaurouge bay would be every one deſtroyed,

and

1745. and the army upon Cape-Breton obliged to ſubmit to the mercy of the French, that we ſhould be condemned in England for engaging in ſuch an affair without their direction or approbation, and we ſhould be no where pitied, our misfortunes proceeding from our own raſh and wild meaſures. To theſe arguments were added the uncertainty of raiſing a ſufficient number of men, or of being able to procure proviſions, warlike ſtores and tranſports, diſcouragement from the ſeaſon of the year when, frequently, for many days together no buſineſs could be done out of doors. Money indeed could be furniſhed, or bills of credit in lieu of it, but the infallible conſequence would be the ſinking the value of the whole currency, to what degree no man could determine but, probably, in proportion to the ſum iſſued, and finally, if we ſhould ſucceed, a general national benefit would be the conſequence, in which we ſhould be but ſmall ſharers and far ſhort of the vaſt expence of treaſure and perhaps of lives in obtaining it, and if we failed, ſuch a ſhock would be given to the province that half a century would not recover us to our preſent ſtate. After mature deliberation, a majority of the committee diſapproved the propoſal and their report was accepted and, for a few days, all thoughts of the expedition with the members of the court were laid aſide. In the mean time, the governor, who wiſhed his propoſal had been agreed to, but did not think it proper to preſs it any further by meſſage or by privately urging the members, either directed or encouraged the carrying about a petition which was ſigned by many of the merchants in the town of Boſton, but principally by thoſe of Salem and Marblehead, directed to the houſe of repreſentatives, or to the two houſes, praying, for reaſons ſet forth, among others the ſaving the fiſhery from ruin, they would reconſider their vote and agree to the governor's propoſal of an expedition againſt Louiſburgh. A ſecond committee, appointed upon this petition, reported in favor

of

of it* and, the 26th of January, their report came before the houſe, who ſpent the day in debating it and, at night, a vote was carried in favor of it by a majority of one voice only. Never was any affair deliberated upon with greater calmneſs and moderation, the governor indeed laid the affair before the court, but left the members free to act their judgment without any ſollicitation, and there appeared no other diviſion than what was cauſed by a real difference in opinion upon the true intereſt of the province. 1745.

THE point once ſettled, there was immediately a union of both parties in the neceſſary meaſures for carrying the deſign into execution, thoſe who had oppoſed it before being employed upon committees and exerting themſelves with zeal equal to that of the principal promoters. An embargo was laid upon every harbour in the province and meſſengers were immediately diſpatched to the ſeveral governments, as far as Pennſylvania, to intreat an embargo on their ports and that they would join in the expedition. All excuſed themſelves from any ſhare in the adventure, except Connecticut, who agreed to raiſe 500 men, New-Hampſhire 300, and Rhode-Iſland 300. Connecticut and Rhode-Iſland alſo conſented their colony ſloops ſhould be employed as cruizers. A ſmall privateer ſhip, about 200 tons, and a ſnow of leſs burden, belonging to Newport, were hired there by the Maſſachuſets, a new ſnow Capt. Rouſe, a ſhip Capt. Snelling, were taken into the ſervice at Boſton, which, with a ſnow Capt. Smethurſt, and a brig, Capt. Fletcher, three ſloops, Capts. Sanders, Donahew and Boſch, and a ſhip of 20 guns, purchaſed on the ſtocks, Capt. Tyng the commodore, made the whole naval force.

FROM the day the vote paſſed until the place was reduced, a ſeries of favorable incidents contributed to our ſucceſs. They will be obvious enough in the courſe of the

* It was accompanied with a meſſage from the governor recommending it and deſiring they would hear the perſons from whom he had received his intelligence.

1745. the narrative and will not require being ſpecially remarked. The time for preparing was ſhort. The winter proved ſo favorable that all ſorts of out-door buſineſs was carried on as well and with as great diſpatch as at any other ſeaſon of the year. In the appointment of a general officer one qualification was conſidered as eſſential, that he ſhould be acceptable to the body of the people, the inliſtment depended upon this circumſtance. It was not eaſy to find a perſon, thus qualified, willing to accept the truſt. Col. Pepperell, having the offer from the governor, was rather preſſed into the ſervice than voluntarily engaged. Beſides a very great landed intereſt, he was largely concerned in mercantile affairs, which muſt neceſſarily ſuffer by his abſence, and this being generally known had no ſmall influence, from the example, with inferior officers and even private ſoldiers, to quit their leſſer affairs, for a ſeaſon, for the ſervice of their country. Many of the private ſoldiers were freeholders and many more ſons of wealthy farmers, who could have no other views in conſenting to the inliſtment of their children than the public intereſt.

MR. Shirley had ſet his heart ſo much upon the expedition that many points were conceded by him which he would not have given up at any other time, and the people of the province ſubmitted to compulſory meaſures from the government which, at another time, would have been grievous and not very patiently borne. Such officers were nominated by the governor as the people propoſed or called for, becauſe they were moſt likely to inliſt men. Inſtead of a commiſſary general, an officer appointed by the governor, a committee of war was choſen by the two houſes out of their own members. Nothing further was heard of the royal inſtruction againſt bills of credit. Such ſums as the ſervice called for and to be redeemed at ſuch periods as the houſe thought proper were conſented to by the governor. It ſoon appeared that theſe ſums would vaſtly exceed

exceed what had been computed, and many declared that had a right eſtimate been made they ſhould never have voted for the expedition, but it was now too late to go back. It was found alſo, that tranſports and veſſels of war could not be engaged unleſs the government would become inſurers, which although it occaſioned no additional expence at firſt yet, in caſe of ill ſucceſs, would greatly increaſe the public debt and diſtreſs. The committee of war were likewiſe convinced that a ſufficiency of proviſions, cloathing and warlike ſtores could not be procured within the province. Whoſoever was poſſeſſed of any of theſe articles, by an act or order of government his property was ſubjected to the committee, who ſet ſuch price as they judged equitable, and upon refuſal to deliver, entred warehouſes, cellars, &c. by a warrant for that purpoſe to the ſheriff, and took poſſeſſion. In the courſe of the preparation many veſſels unexpectedly arrived with more or leſs of each of theſe articles and after all, the army was poorly enough provided. Ten cannon, 18 pounders, were obtained upon loan, not without difficulty, from New-York, otherwiſe Mr. Shirley himſelf ſeemed to doubt whether we could proceed. Some dependance was placed upon cannon from the grand battery but this was too manifeſt a diſpoſal of the ſkin before the bear was caught. By force of a general exertion in all orders of men, the armament was ready and the general, on board the Shirley ſnow, Captain Rouſe, with the tranſports under her convoy, ſailed from Nantaſket the 24th of March and arrived at Canſo the 4th of April. The Maſſachuſets land forces conſiſted of 3250 men, excluſive of commiſſion officers. The New-Hampſhire forces, 304, including officers, arrived four days before. Connecticut, being 516, incluſive, did not arrive until the 25th. The deputy governor of the colony, Roger Wolcot, Eſq; had the command and was the ſecond officer in the army. Rhode-Iſland waited until a better judgment could be made of the event, their 300 not arriving until after the 1745.

place

1745. place had ſurrendered. The 23d of March, an expreſs boat ſent to Commodore Warren in the Weſt-Indies returned to Boſton. As this was a provincial expedition, without orders from England, and as his ſmall ſquadron had been weakened by the loſs of the Weymouth, Mr. Warren excuſed himſelf from any concern in the affair. This anſwer muſt neceſſarily ſtrike a damp into the governor as well as the general and brigadier Waldo, then next in command, who were the only perſons in the army made privy to it before the fleet ſailed. Several of the cruizing veſſels had ſailed the middle of March, but they could be no protection to the army againſt two capital ſhips; if they intercepted ſmall veſſels it was the moſt that was expected. A blockhouſe with eight cannon was built at Canſo. Whether ſome good reaſon would not have been given for proceeding no further than Canſo, if there had been a diſappointment in the expected junction of men of war from the ſeveral quarters to which notice of the expedition had been ſent may well enough be made a qneſtion. Mr. Shirley hoped, if the reduction of Louiſburgh was not effected, at leaſt Canſo would be regained, Nova-Scotia preſerved, the French fiſhery broke up and the New-England and Newfoundland fiſheries reſtored. But on the 23d of April, to the great joy of the army, arrived at Canſo the Eltham of 40 guns, from New-England, by order from Mr. Warren, and on the 23d the commodore himſelf, in the Superb of 60 guns, with the Launceſton and Mermaid of 40 each, arrived alſo. This gave great ſpirits to all who had the ſucceſs of the expedition at heart, for although this was not a naval force to enter the harbour or annoy the forts, yet it was a cover to the army and equal to any expected force from France. It ſeems that, in two or three days after the expreſs ſailed from the Weſt-Indies for Boſton, the Hind ſloop brought orders to Mr. Warren to repair to Boſton, with what ſhips could be ſpared, and to concert meaſures with Mr. Shirley for his Majeſty's general ſervice in North-America,

America. Upon the paſſage* to Boſton, the commodore received intelligence that the fleet had ſailed for Canſo, and meeting with a ſchooner at ſea † he ſent her to Boſton, to acquaint Mr. Shirley that he would proceed to Canſo and, at the ſame time, ſent orders to any ſhips which might be in theſe ſeas to join him. The Eltham was actually under ſail with the maſt fleet when an expreſs ſent from Boſton with the commodore's orders arrived at Portſmouth in New-Hampſhire, but being followed and overtaken by a boat, the captain ordered his convoy into port again and ſailed for Canſo. After a ſhort conſultation with the general, the men of war ſailed to cruize before Louiſburgh. The cruizers, before this, had intercepted ſeveral ſmall veſſels bound in there with Weſt India goods and proviſions and had engaged the Renommee,‡ a French ſhip of 36 guns ſent from France with diſpatches and who kept a running fight with our veſſels for ſome time, being able with eaſe to outſail them, and, after two or three attempts to enter the harbour, went back to France, to give an account of what ſhe had met with. She fell in with the Connecticut troops, under convoy of their own and the Rhode-Iſland colony ſloops, both which ſhe had ſtrength enough to have carried, but, after ſome damage to the Rhode-Iſland ſloop, ſhe went her way. The forces landed at Chapeaurouge bay the 30th of April. The tranſports were diſcovered, early in the morning, from the town, which was the firſt knowledge of any deſign againſt them. The cruizers had been ſeen every fair day before the harbour, but theſe were ſuppoſed to be privateers in ſearch after their trading and fiſhing veſſels. The night before, it is ſaid, there was a grand ball at the fort and the company 1745.

* April 12th.

† An excellent pilot, who had eſcaped for fear of being preſſed into the ſervice happened to be on board this ſchooner The Commodore took him out, and it is ſaid would not have adventured without him. The Vigilant muſt then have got into Louiſbourg and perhaps have defeated the whole deſign.

‡ April 18th.

1745. pany had ſcarce been aſleep when they were called up by an alarm. Bouladrie, a French officer, was ſent with 150 men to oppoſe the landing, but the general making a feint of landing at one place, drew the detachment there, and this opportunity was taken for landing 100 men at another place without oppoſition, although they were ſoon after attacked by the detachment, ſix of which were killed on the ſpot and about as many more, with Bouladrie their leader, were taken priſoners, the reſt fled to the town, or they would ſoon have fallen into the hands of our men, who were landing faſt one upon the back of another.

THE next morning after they landed, 400 men marched round to the north-eaſt harbour, behind the hills, ſetting fire to all the houſes and ſtore-houſes, until they came within a mile of the grand battery. Some of the ſtore-houſes having in them pitch, tar, and other combuſtible ſtuff, cauſed ſuch a thick ſmoak, that the garriſon were unable to diſcover an enemy, though but a few rods diſtant, and, expecting the body of the army upon them, they deſerted the fort, having thrown their powder into a well, but leaving the cannon and ſhot for the ſervice of the Engliſh. A ſmall party, of leſs than 20 Engliſh, firſt came up to the battery and, diſcovering no ſigns of men, ſuſpected a plot and were afraid to enter, at length, it is ſaid, a Cape-Cod Indian went in alone and diſcovered the ſtate of it to the reſt of the party, juſt as ſome of the French were relanding in order to regain the poſſeſſion of it.

THE army found they had near two miles to tranſport their cannon, mortars, ſhot, &c. through a moraſs. This muſt be done by meer dint of labour. Such of the men as had been uſed to drawing pine trees for maſts and thoſe who had the hardieſt and ſtrongeſt bodies were employed in this ſervice. Horſes and oxen would have been buried in mud and were of no uſe. Brigadier Waldo had the command of the grand battery. The French kept firing upon the battery from the town

as well as from the iſland battery, but to little purpoſe, 1745.
the town being near 2000 yards diſtant and the iſland about 1600. A conſtant fire was kept from the grand battery upon the town with the 42 pounders, This greatly damaged the houſes, but cauſed ſo great an expence of powder that it was thought adviſeable to ſtop and reſerve it for the faſcine batteries. Five of theſe were erected, the laſt the 20th of May called Tidcomb's* battery with five 42 pounders which did as great execution as any. Our men knew nothing of regular approaches, they took the advantage of the night, and when they heard Mr. Baſtide's propoſals for zigzags and epaulements they made merry with the terms and went on, void of art, in their own natural way. Capt. Pierce, a brave officer, ſtanding at one of theſe batteries had his bowels ſhot away by a cannon ball and lived juſt long enough to ſay *its hard to die.*

WHILST our people were thus buſy aſhore, the men of war and other veſſels were cruizing off the harbour whenever the weather would permit and, the 18th of May, the Vigilant, a French man of war of 64 guns, having 560 men on board and ſtores of all ſorts for the garriſon, was met with by the Mermaid, whom ſhe attacked, but Capt. Douglaſs the commander, being of unequal force, ſuffered himſelf to be chaſed by her until he drew her under the command of the commodore and the other ſhips cruizing with him, to whom or, as ſome ſay, to the Mermaid ſhe ſtruck becauſe ſhe had firſt met with her. This capture gave great joy to the army, not ſo much for the addition made to our naval force, as for the diſappointment to the enemy. A propoſal had been made, a few days before, that the men of war ſhould anchor in Chapeaurouge bay, and that the marines and as many ſailors as could be ſpared ſhould land and join

* Major Tidcomb's readineſs to engage in the moſt hazardous part of the ſervice was acknowleged and applauded. He ſurvived the ſiege, was colonel of a regiment when general Johnſon was attacked by Dieſkau and then loſt his life in the ſervice of his country.

1745. pany had ſcarce been aſleep when they were called up by an alarm. Bouladrie, a French officer, was ſent with 150 men to oppoſe the landing, but the general making a feint of landing at one place, drew the detachment there, and this opportunity was taken for landing 100 men at another place without oppoſition, although they were ſoon after attacked by the detachment, ſix of which were killed on the ſpot and about as many more, with Bouladrie their leader, were taken priſoners, the reſt fled to the town, or they would ſoon have fallen into the hands of our men, who were landing faſt one upon the back of another.

THE next morning after they landed, 400 men marched round to the north-eaſt harbour, behind the hills, ſetting fire to all the houſes and ſtore-houſes, until they came within a mile of the grand battery. Some of the ſtore-houſes having in them pitch, tar, and other combuſtible ſtuff, cauſed ſuch a thick ſmoak, that the garriſon were unable to diſcover an enemy, though but a few rods diſtant, and, expecting the body of the army upon them, they deſerted the fort, having thrown their powder into a well, but leaving the cannon and ſhot for the ſervice of the Engliſh. A ſmall party, of leſs than 20 Engliſh, firſt came up to the battery and, diſcovering no ſigns of men, ſuſpected a plot and were afraid to enter, at length, it is ſaid, a Cape-Cod Indian went in alone and diſcovered the ſtate of it to the reſt of the party, juſt as ſome of the French were relanding in order to regain the poſſeſſion of it.

THE army found they had near two miles to tranſport their cannon, mortars, ſhot, &c. through a moraſs. This muſt be done by meer dint of labour. Such of the men as had been uſed to drawing pine trees for maſts and thoſe who had the hardieſt and ſtrongeſt bodies were employed in this ſervice. Horſes and oxen would have been buried in mud and were of no uſe. Brigadier Waldo had the command of the grand battery. The French kept firing upon the battery from the town

as well as from the iſland battery, but to little purpoſe, 1745.
the town being near 2000 yards diſtant and the iſland about 1600. A conſtant fire was kept from the grand battery upon the town with the 42 pounders, This greatly damaged the houſes, but cauſed ſo great an expence of powder that it was thought adviſeable to ſtop and reſerve it for the faſcine batteries. Five of theſe were erected, the laſt the 20th of May called Tidcomb's* battery with five 42 pounders which did as great execution as any. Our men knew nothing of regular approaches, they took the advantage of the night, and when they heard Mr. Baſtide's propoſals for zigzags and epaulements they made merry with the terms and went on, void of art, in their own natural way. Capt. Pierce, a brave officer, ſtanding at one of theſe batteries had his bowels ſhot away by a cannon ball and lived juſt long enough to ſay *its hard to die.*

WHILST our people were thus buſy aſhore, the men of war and other veſſels were cruizing off the harbour whenever the weather would permit and, the 18th of May, the Vigilant, a French man of war of 64 guns, having 560 men on board and ſtores of all ſorts for the garriſon, was met with by the Mermaid, whom ſhe attacked, but Capt. Douglaſs the commander, being of unequal force, ſuffered himſelf to be chaſed by her until he drew her under the command of the commodore and the other ſhips cruizing with him, to whom or, as ſome ſay, to the Mermaid ſhe ſtruck becauſe ſhe had firſt met with her. This capture gave great joy to the army, not ſo much for the addition made to our naval force, as for the diſappointment to the enemy. A propoſal had been made, a few days before, that the men of war ſhould anchor in Chapeaurouge bay, and that the marines and as many ſailors as could be ſpared ſhould land and join

* Major Tidcomb's readineſs to engage in the moſt hazardous part of the ſervice was acknowleged and applauded. He ſurvived the ſiege, was colonel of a regiment when general Johnſon was attacked by Dieſkau and then loſt his life in the ſervice of his country.

1745. the army. The Vigilant would then have got in and we ſhould have given over the ſiege. Affairs were now in ſuch a ſtate, that our anxiety at Boſton was much leſſened. We hoped the army might retreat with ſafety, whenever it ſhould be determined to give over the ſiege, for Bouladrie, who belonged to the town of Louiſburgh, and the Marquis de la Maiſon forte, commander of the Vigilant, who was well acquainted with the ſtate of the place, when they came to Boſton, were ſanguine that it would hold out longer than our men and, ſoon after, we had the news of a fruitleſs and perhaps a raſh attempt upon the iſland battery by 400 men, 60 of whom were killed and 116 taken priſoners. The Cæſar, Snelling, one of the ſhips in the provincial ſervice, arrived at Boſton with letters from the general and an application for more men and a further ſupply of powder. The Maſſachuſets agreed and actually did raiſe 400 men and ſent all the powder that could be purchaſed, and Connecticut raiſed 200 men, but there were neither men nor powder arrived when the ſiege was finiſhed.

THE Princeſs Mary of 60 and the Hector of 40 guns, unexpectedly, had arrived at Boſton from England and were immediately ſent to join the commodore, purſuant to his general orders, and arrived before Louiſburgh the 22d of May. This increaſe of naval force occaſioned conjectures, ſome being of opinion that, rather than the ſiege ſhould be raiſed, the ſhips would attempt to go in, but it was generally ſuppoſed the hazard would be too great. It was commonly reported that Col. More of the New-Hampſhire regiment offered to go on board the Vigilant with his whole regiment and to lead the van, if, in caſe of ſucceſs, he might be confirmed in the command of the ſhip. He had been an experienced ſea captain and had a very good character. It is certain, an attempt with the ſhips was not then thought adviſeable. A new battery, about this time, was erected upon the light-houſe point, which being well attended by Lt. Col. Gridley of the artillery, did great execution upon the

the iſland battery, ſilenced many of the guns and it was 1745.
expected it would not be long tenable. Soon after, viz. June 10th, arrived before Louiſburgh the Cheſter, a 50 gun ſhip, in conſequence of the diſpatches from Mr. Shirley with an account of the expedition. The Canterbury and Sunderland, two 60 gun ſhips, ſailed with her and arrived the 12th. Here was now a fleet of 11 ſhips* and it is ſaid to have been determined the ſhips ſhould make an attack by ſea, the 18th, while the army did the ſame by land. It is not certain that when the day ſhould come ſome ſufficient reaſon would not have been found for a further delay. Thoſe who give the moſt favorable accounts of the ſiege ſay "the weſt gate was entirely beat down, the wall adjoining very much battered and a breach made, ten feet from the bottom, the circular battery of 16 cannon and the principal one againſt ſhips almoſt ruined, the north-eaſt battery of 17 cannon damaged and the men drove from the guns, and the weſt flank of the king's baſtion almoſt demoliſhed." Others ſay, "the weſt gate was defaced and the adjoining curtain with the flank of the king's baſtion were much hurt, but no practicable breach." Whether a general ſtorm was really intended upon the 18th or not, it ſeems, the French expected it from the preparations on board the men of war, and did not incline to ſtand it, and on the 15th ſent a flag of truce to the general deſiring a ceſſation, that they might conſider of articles to be propoſed for a capitulation. Time was allowed for this purpoſe until the next morning, when ſuch articles were offered as were rejected by the general and commodore and others offered to the enemy in their ſtead, which they accepted of and hoſtages were exchanged and, the next day, the 17th, the city was delivered up.

MANY of our men had taken colds and many fallen into dyſenteries, ſo that 1500 were taken off from duty

* The Superb, Princeſs Mary, Canterbury and Sunderland of 60 guns, the Cheſter of 50, Launceſton, Mermaid, Hector, Eltham and Lark of 40, with the French prize the Vigilant of 64.

1745. at one time, but the weather proving remarkably fine during the 49 days ſiege they generally recovered. The day after the ſurrender the rains began and continued ten days inceſſantly, which muſt have been fatal to many, they having nothing better than the wet ground to lodge on, and their tents, in general, being inſufficient to ſecure them againſt a ſingle ſhower, † but in the city they found barracks to ſhelter them. Capt. Bennet, in a ſchooner, was ſent immediately to Boſton and arrived with the great news the 3d of July, about one in the morning. The bells of the town were ringing by break of day and the day and night following were ſpent in rejoicing. The news flew through the continent. The colonies which declined any ſhare in the expence and hazard were ſenſible they were greatly intereſted in the ſucceſs. It was allowed every where that if there had been no ſignal proof of bravery and courage in time of action, there having been only one ſally from the town and a few ſkirmiſhes with French and Indians from the woods, in all which our men behaved well, yet here was the ſtrongeſt evidence of a generous noble public ſpirit, which firſt induced to the undertaking, and of ſteadineſs and firmneſs of mind in the proſecution of it, the labour, fatigue and other hardſhips of the ſiege being without parallel in all preceding American affairs. A ſhade was thrown over the imprudence at firſt charged upon the New-Englanders. Conſiderate perſons among themſelves could not, however, avoid gratefully admiring the favor of divine providence in ſo great a number of remarkable incidents which contributed to this ſucceſs. The beſt uſe to be made by poſterity ſeems to be not to depend upon ſpecial interpoſitions of providence becauſe their anceſtors have experienced them, but to avoid the like imminent dangers and to weigh the probability and improbability of ſucceeding in the ordinary courſe of events.

THE

† All the ticklenburgh and ſmall canvas in the province was purchaſed by the committee of war, but for a great part of the tents they were forced to buy common oznabrigs.

THE commodore was willing to carry away a full 1745.
ſhare of the glory of this action. It was made a queſtion whether the keys of the town ſhould be delivered to him or to the general and whether the ſea or land forces ſhould firſt enter. The officers of the army ſay they prevailed. The marines took poſſeſſion of one or more of the batteries and ſometimes the commodore took the keys of the city gates. The command however until orders ſhould arrive from England was to be joint and a diſpute about precedence to be avoided as much as could be. The commodore diſpatched Mr. Montague in the Mermaid to England with intelligence, and the general, the day after, ſent the Shirley Galley Capt. Rouſe. The Mermaid arrived firſt.

IT was very happy that diſputes aroſe to no heighth between the ſea and land forces during the ſiege. This has often proved fatal. This expedition having been began and carried on under a commiſſion from a provincial governor ſeems to be diſtinguiſhed from ordinary caſes and to leave leſs room for diſpute. Whether the land or ſea force had the greateſt ſhare in the acquiſition may be judged from the relation of facts. Neither would have ſucceeded alone. The army, with infinite labour and fatigue to themſelves, harraſſed and diſtreſſed the enemy and, with perſeverance a few weeks or days longer, muſt have compelled a ſurrender. It is very doubtful whether the ſhips could have lain long enough before the walls to have carried the place by ſtorm, or whether, notwithſtanding the appearance of a deſign to do it, they would have thought it adviſable to attempt it; it is certain they prevented the arrival of the Vigilant, took away all hopes of further ſupply and ſuccour, and it is very probable the fears of a ſtorm might accelerate the capitulation.* The loſs by the enemy and ſickneſs did

* From the following depoſition of the Commodore in the high court of admiralty, one would imagine the place had been taken by the ſhips alone.

"Extracted from the regiſtry of the high court of admiralty of England 29th September 1747.

Notr

1745. did not exceed 101 men. The loſs of the Snow Prince of Orange, belonging to the province, and ſuppoſed to be overſet, was a heavy blow upon the town of Marblehead, the captain and moſt of the crew belonging to that town, and it is a rare thing for a Marblehead man to die without leaving a widow and a number of children ſurviving.

As it was a time of year to expect French veſſels from all parts to Louisburg, the French flag was kept flying to decoy them in. Two Eaſt India and one South Sea ſhip, ſuppoſed to be all together of the value of £.600,000 ſterling, were taken by the ſquadron at the mouth of the harbour, into which they would undoubtedly have entered. The army, at firſt, ſuppoſed they had acquired a right to the iſland of Cape Breton and its dependencies, and, until they were undeceived by Mr. Shirley, were for dividing the territory among the officers and men. With greater colour they might have claimed a ſhare with the men of war in theſe rich prizes. Some of the officers

Notre dame de deliverance, Litan maſter. } Upon the allegation given by Tyndall the 21ſt of March 1745.

Sir Peter Warren knight, vice-admiral of the white, aged 40 years and upwards, a witneſs produced and ſworn.

To the firſt article of the ſaid allegation depoſes and ſays, that he the ſaid deponent was appointed to command his Britannic majeſty's fleet intended for the attack of the iſland of Cape Breton, and in the year of our Lord one thouſand ſeven hundred and forty five proceeded on the ſaid expedition in his majeſty's ſhip Superbe from the leward iſlands, then having with him and under his command his majeſty's ſhips Mermaid and Launceſton, and ſoon after his arrival at ſaid iſland he was joined by his majeſty's ſhips Princeſs Mary, Canterbury, Cheſter and Sunderland, and that after the deponent's arrival at Cape Breton, and before he was joined by his majeſty's ſhips aforeſaid he took and ſeized a French ſhip of war called the Vigilant, and appointed her a ſhip in his majeſty's ſervice and pay, and then with the aſſiſtance of all his majeſty's ſhips aforeſaid, and others of his majeſty's ſhips, he did ſubdue the whole iſland of Cape Breton, and further to the ſaid article he knows not to depoſe."

There was no claim made, for the army, to this or the other captures, which is the only reaſon I can think of for omitting any mention of the land forces.

officers expected a claim would have been laid in, but 1745
means were found to divert it, nor was any part decreed to the veſſels of war in the province ſervice, except a ſmall ſum to the Brig Boſton Packet, Capt. Fletcher, who being chaſed by the ſouth ſea ſhip, led her directly under the command of the guns of one of the men of war. It ſeemed to be conceded that, as this acquiſition was made under the commiſſion of the governor of Maſſachuſets-bay, the exerciſe of government there appertained to him, until his majeſty's pleaſure ſhould be known, I know of no precedent in the colonies except that of the conqueſt of Nova Scotia in 1690. It was neceſſary, then, to admit this principle, the acquiſition could not otherwiſe have been retained. Mr. Shirley made a voyage to Louisburgh, took the government upon him, prevailed upon a great part of the army to conſent to remain in garriſon over the winter, or until regiments which were expected arrived, engaged that their pay ſhould be increaſed and cloathing provided, and ſettled other matters to general ſatisfaction.*

DUVIVIER had been ſent to France the winter of 1744, to ſollicit a force, not to defend Cape Breton, but to conquer Nova Scotia, and accordingly ſailed the beginning of July, with 7 ſhips of war for that purpoſe, who were to ſtop at Louisburgh. This fleet took a prize bound from Boſton to London, on board which was lieutenant governor Clark of New-York, and by this means they were informed of the conqueſt of Louisburgh, and the ſtrong ſquadron there, otherwiſe ſome or all of them would alſo have probably fallen into the hands of the Engliſh. Upon this intelligence they went back to France. Thus Nova Scotia no doubt was ſaved by the Maſſachuſets expedition. There would not have been men of war in theſe ſeas ſufficient to match this ſquadron.

THE reduction of Louisburgh by a Britiſh colony, muſt have been a ſurprize to Great Britain and to France.

* Penſylvania contributed £. 4000. New-York £. 3000. and New-Jerſey, I think, £. 2000. ſome in money others in proviſions for ſupport of the troops.

1746. It cauſed very grand plans of American meaſures for the next year with both powers. Great Britain had in view the reduction of Canada and the extirpation of the French from the northern continent. France intended the recovery of Louisburgh, the conqueſt of Nova Scotia and the deſtruction of the Engliſh ſea coaſt from Nova Scotia to Georgia. Upon the Engliſh plan, eight battalions of regular troops with the provincial forces to be raiſed in the four New-England governments, were to rendezvous at Louisburgh and, with a ſquadron under admiral Warren, were to go up the river Saint Lawrence to Quebec, other provincials from Virginia and the colonies northward, including New-York, were to rendezvous at Albany and go acroſs the country to Montreal; the land forces to be under General St. Clair. No province had a certain number aſſigned, it was expected there ſhould be at leaſt 5000* in the whole. The Maſſachuſets forces were ready to embark by the middle of July, about ſix weeks from the firſt notice. The preparations making at Breſt for America, were well known in England, and a ſquadron was ordered to block up that harbour. Notwithſtanding all the caution uſed, the Breſt ſquadron ſlipped out, and ſailed to the weſtward, and it is certain no Engliſh ſquadron followed. Whilſt we were impatiently waiting for news of the arrival of the fleet at Louisburgh, a fiſherman comes in, ſome time in Auguſt, with an account of his being brought to by four French capital ſhips not far from Chibucto, that he was required to pilot them there, that as he lay under the ſtern of one of them he read the word le Terrible, but a fog ſuddenly riſing he made his eſcape. After that ſome days had paſſed without any further account, the fiſherman's news was generally diſcredited. It appeared ſome months after, that theſe were four ſhips under M. Conflans, who had

* The colonies voted to raiſe men in very unequal proportions. New-Hampſhire 500. Maſſachuſets 3500. Rhode Iſland 300. Connecticut 1000. New-York 1600. New-Jerſies 500. Maryland 300. Virginia 100. Penſylvania raiſed 400, though not by an act of government. The whole number 8200.

had eſcaped † an Engliſh ſquadron from Jamaica, and were bound to Chibucto in order to join the Breſt fleet, but after cruizing ſome time and meeting with ſtorms and fogs, upon a coaſt they were unacquainted with, they returned to France. 1746.

THE beginning of September, veſſels arrived at Boſton from Hull and Liverpool with advice that the Breſt fleet had ſailed, and it was ſuppoſed for North America, and from the middle to the latter end of the month frequent accounts were brought of a great fleet ſeen to the weſtward of Newfoundland, which we flattered ourſelves might be Engliſh as likely as French, but on the 28th an expreſs arrived from Louisburgh with certain advice theſe ſhips were the French fleet, which it was affirmed conſiſted of 70 ſail, 14 of which were capital ſhips, and that there were 20 ſmaller men of war, and the reſt fire ſhips, bombs, tenders and tranſports for eight thouſand troops. The ſame day a veſſel from Jamaica arrived with advice that the four men of war who had engaged with commodore Mitchell, were intended to join the fleet, and it was now no longer doubted that theſe were the ſhips ſeen by the fiſhermen, and it was ſuppoſed ſoon after got into Chibucto. England was not more alarmed with the Spaniſh armada in 1588, than Boſton and the other North American ſea ports were with the arrival of this fleet in their neighbourhood. The firmeſt mind will bend upon the firſt advice of imminent danger to its country. Even the great De Witt ſwooned when he firſt opened a letter giving intelligence of England's confederating with France to inſlave the Dutch, though the next moment he recovered his natural courage and vivacity.

EVERY practicable meaſure for defence was immediately purſued by the authority of the Maſſachuſets province, but our main dependance, under God, was upon a ſquadron from England ſufficient in conjunction with the ſhips then at Louisburgh to overcome the French.

† Some ſay the Engliſh eſcaped from them.

1746. French. It was impoſſible the miniſtry ſhould be ignorant of the ſailing of this fleet, and unleſs they were willing the colonies ſhould be expoſed to the ravages of the enemy, it was impoſſible an Engliſh ſquadron ſhould not be ſoon after them.* This was the general voice. But this dependance failed. However, as the probability of the arrival of our ſquadron was from day to day leſſened, our apprehenſions of danger from the enemy leſſened in ſome proportion. At length, we had ſuch authentic account of the diſtreſſes of the French that it was not only agreed that admiral Townſend's ſhips at Louisburgh were more than a match for them, and we were every day expecting to hear they had ſailed for Chebucto, but if that ſhould prove otherwiſe, the utmoſt they would be able to effect by their grand plan would be the conqueſt of Annapolis and the whole province of Nova Scotia. If the winter did not prevent a farther progreſs, we flattered ourſelves their ſtrength was not ſufficient for an attempt upon Boſton.

THE misfortunes of this grand armament are really very remarkable. The loſs of Cape Breton filled the French with a ſpirit of revenge againſt the Britiſh colonies. The duke d'Anville, a French nobleman in whoſe courage and conduct great confidence was placed, was appointed to the command of the expedition. As early as the beginning of May the fleet was ready to ſail, but detained

* It was ſaid admiral Leſtock put out no leſs than ſeven times, but could not get to the weſtward. Others ſuppoſed that an apprehenſion of French fineſſe, pretending an expedition to America when an invaſion of Britain was really intended, occaſioned orders for the detention of Leſtock's fleet until it was thought too late to prevent the miſchief, and the ſhips were then employed in an unſucceſsful deſcent upon France. The indifference of the people in England in general upon this occaſion was wondered at by the coloniſts. Letters from merchants, who had debts due in the colonies equal to their whole fortunes and which they muſt have wholly loſt if the French plan had been executed, ſpake of the ſailing of this fleet as an ordinary piece of news which would be followed with no remarkable conſequences.

detained by contrary winds until the 22d of June, when it left Rochelle, and then conſiſted of 11 ſhips of the line, 30 ſmaller veſſels from 10 to 30 guns, and tranſport ſhips with 3130 land forces commanded by Monſieur Pommerit, a brigadier general. The French of Nova-Scotia, it was expected, would join them, and Ramſay, a French officer, with 1700 Canadians and Indians were actually in arms there ready for their arrival. To this force Conflans with the four ſhips from the Weſt-Indies were to be added. It was the 3d of Auguſt before the fleet had paſſed the Weſtern Iſlands. The 24th they were 300 leagues diſtant from Nova-Scotia, and one of their ſhips complained ſo much that they burnt her. The 1ſt of September, in a violent ſtorm, the Mars, a 64 gun ſhip, was ſo damaged in her maſts and ſo leaky that ſhe bore away for the Weſt-Indies† and the Alcide, of 64 guns, which had alſo loſt her topmaſt, was ſent to accompany her. The 15th, the Ardent, of 64 guns, moſt of her crew being ſick, put back for Breſt. 1746.

THE duke d'Anville, in the Northumberland, arrived at Chibucto the 12th of September, with only one ſhip of the line, the Renommee and three or four of the tranſports. There he found only one of the fleet, which had been in three days, and after waiting three days and finding that only three more, and thoſe tranſports, had arrived, the 16th in the morning he died, the French ſaid of an apoplexy, the Engliſh that he poiſoned himſelf. In the afternoon the vice admiral, d'Eſtournelle, with three or four more of the line came in. Monſ. de la Jonquiere, governor of Canada, was aboard the Northumberland and had been declared a chef d'eſcadre, after the fleet left France and, by this means, was next in command to the vice admiral. In a council of war, the 18th, the vice admiral propoſed returning to France. Four of the capital ſhips, the Ardent, Caribou, Mars and Alcide and the Argonaute fireſhip they were deprived of, there was no

† She went back for France and was taken in October by the Nottingham, Capt. Saumarez, off Cape Clear.

1746. news of Conflans and his ſhips, ſo that only ſeven* ſhips of importance remained, more or leſs of the land forces were on board each of the miſſing ſhips and what remained were in a very ſickly condition. This motion was oppoſed for 7 or 8 hours by Jonquiere and others of the council, who ſuppoſed that, at leaſt, they were in a condition to recover Annapolis and Nova-Scotia, after which they might either winter ſecurely at Caſco-bay or, at worſt, then return to France: The ſick men, by the conſtant ſupply of freſh proviſions from the Acadians, were daily recovering and would ſoon be fit for ſervice. The motion not prevailing, the vice admiral's ſpirits were agitated to ſuch a degree as to throw him into a fever attended with a delirium, in which he imagined himſelf among the Engliſh and ran himſelf through the body. Jonquiere ſucceeded, who was a man experienced in war and, although above 60, ſtill more active than either of his predeceſſors, and the expectations of the fleet and army were much raiſed. From this time Annapolis ſeems to have been their chief object. An account, ſuppoſed to be authentic, having been received at Boſton of the ſailing of admiral Leſtock, Mr. Shirley ſent an expreſs to Louiſburgh to carry the intelligence. The packet boat was taken and carried into Chibucto,† which accelerated the ſailing of the fleet. Moſt of the ſick had died at Chibucto and but about one half their number remained alive. They ſailed the 13th of October and the 15th, being near Cape Sables, they met with a violent cold ſtorm which, after ſome intermiſſion, increaſed the 16th and 17th and ſeperated the fleet, two of which only, a 50 and a 36 gun ſhip, were diſcovered from the fort at Annapolis, where the Cheſter man of war, Capt. Spry, then lay with the Shirley frigate and a ſmall veſſel in the ſervice of the board of ordnance, who being diſcovered by the French to be under ſail they made off and this was the laſt of the expedition. The news

* Some make the number 8, and the Perfait, to be one of them, and burnt there; but in the French liſt the Perfait is a fire ſhip, and the Caribou is ſaid to have been burnt.

† Octob. 11.

news of the beginning of the misfortunes of the French having reached France by ſome of the returned veſſels, two men of war were ſent immediately with orders, at all events, to take Annapolis, but the fleet had failed three or four days before they arrived. 1746.

PIOUS men ſaw the immediate hand of divine providence in the protection or rather reſcue of the Britiſh colonies this year, as they had done in the miraculous ſucceſs of the Cape-Breton expedition the former year.

WHEN the ſummer had ſo far paſſed as to render it too late to proſecute the expedition againſt Canada, if the fleet had arrived, Mr. Shirley's enterprizing genius led him to project an attempt upon the French fort at Crown-point, with part of the Maſſachuſets forces in conjunction with thoſe of the other colonies, but the alarm of the French fleet prevented until it was judged, by ſome concerned, to be too late. Fifteen hundred of the Maſſachuſets men were intended for Nova-Scotia, upon the news of Ramſay's appearing there, and 400 actually went there, covoyed by the Cheſter, and late in the fall an additional number were ſent thither. Thoſe poſted at Minas were ſurprized, the firſt day of January, by a body of French and Indians commanded by Le Corne, a French officer, and after having 160 of their number killed, wounded and taken priſoners, the reſt capitulated engaging not to bear arms againſt the French in Nova-Scotia for the term of one year. De Ramſay with his troops ſoon after returned to Canada.*

THE troops raiſed for the Canada expedition continued in pay until September the next year 1747. Some of them ſerved for defence of the frontiers, the reſt were inactive. The inactive proſecution of the war in Europe on both ſides indicated peace to be near which the next year was effected.

WAR had been declared in 1744 againſt the Cape Sable and St. John's Indians and in 1745 againſt the Penobſcots and Norridgewocks. The frontiers did not eſcape

* Thomas Cuſhing, Eſq; ſpeaker of the houſe died April 11. 1746. univerſally lamented.

1747. moleſtation. They ſuffered leſs than in any former wars. The Indians were leſſened in number and having withdrawn to the French frontiers were ſometimes detained for their defence upon an apprehended invaſion, and at other times engaged to be in readineſs to join in the great deſigns againſt the Engliſh.*

IN 1747 (Nov. 17th) happened a tumult in the town of Boſton equal to any which had preceded it, although far ſhort of ſome which have happened ſince. Mr. Knowles was commodore of a number of men of war then in the harbour of Nantaſket. Some of the ſailors had

* The peace with the Indians was not ſettled until October 1749, when a treaty was held at Falmouth by commiſſioners, Thomas Hutchinſon, John Choate, Iſrael Williams and James Otis of the Maſſachuſets, and Theodore Atkinſon and John Downing of New Hampſhire, when the laſt treaty in Mr. Dummer's time with ſome additions was renewed.

June 19th 1748, John Stoddard, Eſq; of Northampton, and at that time a member of the houſe of repreſentatives, died at Boſton. He had been ſeveral years member of the council, but being in favor of the prerogative, generally met with great oppoſition, and having been divers times left out he at length declined being any longer the ſubject of contention, and choſe a ſeat in the houſe, his town thinking it a favor that he would repreſent them. There have been but few men among us who have been more generally eſteemed. His enemies would charge him with unconſtitutional principles, but at the ſame time allow he had an upright heart. He ſhined only in affairs of importance, leſſer matters would frequently be carried againſt his mind by the little arts and crafts of minute politicians, which he diſdained to defeat by counterworking. He was very early employed in public affairs. In 1713 he went as a commiſſary to Quebec for the redemption of captives, and the ſeveral governors to the time of his death intruſted to his direction the military affairs of the county of Hampſhire, which in time of war was peculiarly expoſed. Nor was his authority leſs in civil matters. Both military and civil authority he uſed with great diſcretion. In this latter, in one inſtance, he rather exceeded, extending it to the eccleſiaſtical affairs of the town of Springfield farther than he could well juſtify. Our beſt men have ſometimes exceeded in their zeal for particular ſyſtems, and have endeavored to promote religion by invading natural and civil rights.

had deſerted. Deſerters generally flee to ſome of the neighbouring ports where they are out of danger of diſcovery. The commodore thought it reaſonable that Boſton ſhould ſupply him with as many men as he had loſt, and ſent his boats up to town early in the morning, and ſurprized not only as many ſeamen as could be found on board any of the ſhips, outward bound as well as others, but ſwept the wharfs alſo, taking ſome ſhip carpenters apprentices and labouring land men. However tolerable ſuch a ſurprize might have been in London it could not be born here. The people had not been uſed to it and men of all orders reſented it, but the lower claſs were beyond meaſure enraged and ſoon aſſembled with ſticks, clubs, pitchmops, &c. They firſt ſeized an innocent lieutenant who happened to be aſhore upon other buſineſs. They had then formed no ſcheme, and the ſpeaker * of the houſe paſſing by and aſſuring them that he knew that the lieutenant had no hand in the preſs they ſuffered him to be led off to a place of ſafety. The mob increaſing and having received intelligence that ſeveral of the commanders were at the governor's houſe, it was agreed to go and demand ſatisfaction. The houſe was ſoon ſurrounded and the court, or yard before the houſe, filled, but many perſons of diſcretion inſerted themſelves and prevailed ſo far as to prevent the mob from entering. Several of the officers had planted themſelves at the head of the ſtair way with loaded carbines and ſeemed determined to preſerve their liberty or loſe their lives. A deputy ſheriff attempting to exerciſe his authority, was ſeized by the mob and carried away in triumph and ſet in the ſtocks, which afforded them diverſion and tended to abate their rage and diſpoſed them to ſeperate and go to dinner. 1747

Assoon as it was duſk, ſeveral thouſand people aſſembled in king-ſtreet. below the town houſe where the general court was ſitting. Stones and brickbatts were thrown through the glaſs into the council chamber.

The

* The Author.

1747. The governor, however, with ſeveral gentlemen of the council and houſe ventured into the balcony and, after ſilence was obtained, the governor in a well judged ſpeech expreſſed his great diſapprobation of the impreſs and promiſed his utmoſt endeavours to obtain the diſcharge of every one of the inhabitants, and at the ſame time gently reproved the irregular proceedings both of the forenoon and evening. Other gentlemen alſo attempted to perſuade the people to diſperſe and wait to ſee what ſteps the general court would take. All was to no purpoſe. The ſeizure and reſtraint of the commanders and other officers who were in town was inſiſted upon as the only effectual method to procure the releaſe of the inhabitants aboard the ſhips.

IT was thought adviſeable for the governor to withdraw to his houſe, many of the officers of the militia and other gentlemen attending him. A report was raiſed that a barge from one of the ſhips was come to a wharf in the town. The mob flew to ſeize it, but by miſtake took a boat belonging to a Scotch ſhip and dragged it, with as much ſeeming eaſe through the ſtreets as if it had been in the water, to the governor's houſe and prepared to burn it before the houſe, but from a conſideration of the danger of ſetting the town on fire were diverted and the boat was burnt in a place of leſs hazard. The next day the governor ordered that the military officers of Boſton ſhould cauſe their companies to be muſtered and to appear in arms, and that a military watch ſhould be kept the ſucceeding night, but the drummers were interrupted and the militia refuſed to appear. The governor did not think it for his honour to remain in town another night and privately withdrew to the caſtle. A number of gentlemen who had ſome intimation of his deſign, ſent a meſſage to him by Col. Hutchinſon, aſſuring him they would ſtand by him in maintaining the authority of government and reſtoring peace and order, but he did not think this ſufficient.

THE

THE governor wrote to Mr. Knowles repreſenting 1747.
the confuſions occaſioned by this extravagant act of his officers, but he refuſed all terms of accommodation until the commanders and other officers on ſhore were ſuffered to go on board their ſhips, and he threatned to bring up his ſhips and bombard the town, and ſome of them coming to ſail, cauſed different conjectures of his real intention. Capt. Erſkine of the Canterbury had been ſeized at the houſe of Col. Brinley in Roxbury and given his parole not to go abroad, and divers inferior officers had been ſecured.

THE 17th, 18th and part of the 19th, the council and houſe of repreſentatives, ſitting in the town, went on with their ordinary buſineſs, not willing to interpoſe leſt they ſhould encourage other commanders of the navy to future acts of the like nature, but towards noon of the 19th ſome of the principal members of the houſe began to think more ſeriouſly of the dangerous conſequence of leaving the governor without ſupport when there was not the leaſt ground of exception to his conduct. Some high ſpirits in the town began to queſtion whether his retiring ſhould be deemed a deſertion or abdication. It was moved to appoint a committee of the two houſes to conſider what was proper to be done. This would take time and was excepted to, and the ſpeaker was deſired to draw up ſuch reſolves as it was thought neceſſary the houſe ſhould immediately agree to, and they were paſſed by a conſiderable majority and made public.

"In the houſe of repreſentatives, Nov 19th, 1747.

RESOLVED, that there has been and ſtill continues, a tumultuous riotous aſſembling of armed ſeamen, ſervants, negroes and others in the town of Boſton, tending to the deſtruction of all government and order.

RESOLVED, that it is incumbent on the civil and military officers in the province to exert themſelves to the utmoſt, to diſcourage and ſuppreſs all ſuch tumultuous riotous proceedings whenſoever they may happen-

1747. RESOLVED, that this houſe will ſtand by and ſupport with their lives and eſtates his excellency the governor and the executive part of the government in all endeavors for this purpoſe.

RESOLVED, that this houſe will exert themſelves by all ways and means poſſible in redreſſing ſuch grievances as his majeſty's ſubjects are and have been under, which may have been the cauſe of the aforeſaid tumultuous diſorderly aſſembling together.

T. Hutchinſon, Speaker."

THE council paſſed a vote ordering that Captain Erſkine and all other officers belonging to his majeſty's ſhips ſhould be forthwith ſet at liberty and protected by the government, which was concurred by the houſe. Aſſoon as theſe votes were known, the tumultuous ſpirit began to ſubſide. The inhabitants of the town of Boſton aſſembled in town meeting in the afternoon, having been notified to conſider, in general, what was proper for them to do upon this occaſion, and notwithſtanding it was urged by many that all meaſures to ſuppreſs the preſent ſpirit in the people would tend to encourage the like oppreſſive acts for the future, yet the contrary party prevailed and the town, although they expreſſed their ſenſe of the great inſult and injury by the impreſs, condemned the tumultuous riotous acts of ſuch as had inſulted the governor and the other branches of the legiſlature and committed many other heinous offences.

THE governor, not expecting ſo favorable a turn, had wrote to the ſecretary to prepare orders for the colonels of the regiments of Cambridge, Roxbury and Milton and the regiment of horſe to have their officers and men ready to march at an hour's warning to ſuch place of rendezvous as he ſhould direct, but the next day there was an uncommon appearance of the militia of the town of Boſton, many perſons taking their muſkets who never carried one upon any other occaſion, and the governor was conducted to his houſe with as great parade as when he firſt aſſumed the government.

THE

THE commodore diſmiſſed moſt, if not all, of the inhabitants who had been impreſſed, and the ſquadron ſailed to the joy of the reſt of the town. 1747.

BY the expedition to Louiſburgh, the preparations for the reduction of Canada, and the ſeveral ſupplies of men for Nova-Scotia the province had iſſued an immenſe ſum in bills of credit, between two and three millions, according to their denomination in the currency. The greateſt part of this ſum had been iſſued when between five and ſix hundred pounds was equal to one hundred pounds ſterling, and perhaps the real conſideration the government received from the inhabitants who gave credit to them was near four hundred thouſand pounds ſterling; but by thus multiplying the bills they had ſo much depreciated that, at the end of the war, eleven or twelve hundred pounds was not equal to more than an hundred pounds ſterling, and the whole debt of the province did not much exceed two hundred thouſand pounds ſterling. Thus the people had paid two hundred thouſand pounds ſterl. in two or three years, beſides a large ſum raiſed by taxes each year, as much as it was ſuppoſed the people were able to pay; but to pay by the depreciation of the bills, although infinitely unequal, yet, as they were ſhifting hands every day, it was almoſt inſenſible, a poſſeſſor of a large ſum for a few days not perceiving the difference in their value between the time when he received them and the time when he parted with them. The apprehenſion of their depreciation tended to increaſe it, and occaſioned a quick circulation and for ſome time, even for Engliſh goods, which ordinarily ſell for the longeſt credit, no body pretended to aſk credit. They were conſtantly, however, dying in ſome body's hand, though no body kept them long by them. Buſineſs was briſk, men in trade increaſed their figures but were ſinking the real value of their ſtock and, what is worſe, by endeavors to ſhift the loſs attending ſuch a pernicious currency from one to another, fraudulent diſpoſitions and habits are acquired and the morals of the people depreciate with the currency.

1747. THE government was ſolliciting for the reimburſement of the charge in taking and ſecuring Cape Breton, and by the addreſs, aſſiduity and fidelity of William Bollan, Eſq; who was one of the agents of the province for that purpoſe, there was a hopeful proſpect that the full ſum, about £.180,000 ſterling, would be obtained.

SOME of the miniſtry thought it ſufficient to grant ſuch ſum as would redeem the bills iſſued for the expedition, &c. at their depreciated value, and Mr. Kilby, the other agent, ſeemed to deſpair of obtaining more, but Mr. Bollan, who had an intimate knowledge of our public affairs, ſet the injuſtice of this propoſal in a clear light and made it evident that the depreciation of the bills was as effectually a charge born by the people as if the ſame proportion of bills had been drawn in by taxes, and refuſed all propoſals of accommodation, inſiſting upon the full value of the bills when iſſued. He certainly has great merit for this and other ſervices.

MR. Hutchinſon, who was then ſpeaker of the houſe of repreſentatives, imagined this to be a moſt favorable opportunity for aboliſhing bills of credit, the ſource of ſo much iniquity and for eſtabliſhing a ſtable currency of ſilver and gold for the future. About two millions two hundred thouſand pounds would be outſtanding of bills in the year 1749. One hundred and eighty thouſand pounds ſterling at eleven for one which was the loweſt rate of exchange with London for a year or two before, and perhaps the difference was really twelve for one, would redeem nineteen hundred and eighty thouſand pounds, which would leave but two hundred and twenty thouſand pounds outſtanding, it was therefore propoſed that the ſum granted by parliament ſhould be ſhipped to the province in Spaniſh milled dollars and applied to the redemption of the bills as far it would ſerve for that purpoſe, and that the remainder of the bills ſhould be drawn in by a tax on the year 1749. This would finiſh the bills. For the future, ſilver of ſterling alloy at 6*ſ.* 8*d.* the ounce, if payment ſhould be made in bullion

bullion, or otherwiſe milled dollars at 6*ſ.* each ſhould be the lawful money of the province and no perſon ſhould receive or pay within the province, bills of credit of any of the other governments of New-England. This propoſal being made to the governor he approved of it as founded in juſtice and tending to promote the real intereſt of the province, but he knew the attachment of the people to paper money and ſuppoſed it impracticable. The ſpeaker, however, laid the propoſal before the houſe, where it was received with a ſmile and generally thought to be an Utopian project and, rather out of deference to the ſpeaker, than from an apprehenſion of any effect, the houſe appointed a committee to conſider of it. The committee treated it in the ſame manner but reported that the ſpeaker ſhould be deſired to bring in a bill for the conſideration of the houſe. When this came to be known abroad, exceptions were taken and a clamour was raiſed from every quarter. The major part of the people, in number, were no ſufferers by a depreciating currency, the number of debtors is always more than the number of creditors, and although debts on ſpecialties had allowance made in judgments of court for depreciation of the bills, yet on ſimple contracts, of which there were ten to one ſpecialty, no allowance was made. Thoſe who were for a fixed currency were divided. Some ſuppoſed the bills might be reduced to ſo ſmall a quantity as to be fixed and ſtable and, therefore, were for redeeming as many by bills of exchange as ſhould be thought ſuperfluous; others were for putting an end to the bills, but in a gradual way, otherwiſe it was ſaid a *fatal ſhock* would be given to trade. This laſt was the objection of many men of good ſenſe. Douglaſs, who had wrote well upon the paper currency and had been the oracle of the anti-paper party, was among them and, as his manner was with all who differed from him, diſcovered as much rancor againſt the author and promoters of this new project as he had done againſt the fraudulent contrivers of paper money emiſſions. 1747.

1747. THE bills it was ſaid had ſunk gradually in their value from 6*ſ.* 10*d.* ½ to 60*ſ.* the ounce, by this means creditors had been defrauded, it was but reaſonable they ſhould riſe gradually that juſtice might be done. But the creditors and debtors would not be the ſame in one inſtance in a thouſand, and where this was not the caſe the injury was the ſame, to oblige any one to pay more as to receive leſs than was juſtly due. Others were for exchanging the bills at a lower rate than the then current price of ſilver. The inhabitants had given credit to the government, when ſilver was at 30*ſ.* the ounce, and ought to be paid accordingly. Two of the repreſentatives of Boſton urged their being exchanged at 30*ſ.* which would have given a moſt unreaſonable profit to the preſent poſſeſſor who had taken them at 55 or 60*ſ.* To draw over ſome of this party, conceſſions were made and the bills were exchanged at 50*ſ.* the ounce inſtead of 55 as was at firſt propoſed.

SOME of the directors and principal promoters of the land bank ſcheme,† being at this time members of the general court, unexpectedly joined with the party who were for finiſhing paper money, but the oppoſition was ſo great, that after many weeks ſpent in debating and ſettling the ſeveral parts of the bill and a whole day's debate at laſt in a committee of the whole houſe upon the expediency of paſſing the bill, as thus ſettled, it was rejected and the report of the committee accepted.

THE houſe, although upon ſome occaſions exceptions are taken to motions and proceedings which come before them as not being in parliamentary form, yet are not ſtrict in conforming to ſome of the moſt uſeful rules of parliament. A bill or motion is not only referred from one ſeſſion to another, but a bill, after rejecting upon a ſecond or third reading, is ſometimes taken up and paſſed ſuddenly the ſame ſeſſion. They have an order of the houſe, that when any affair has been conſidered, it ſhall not

† John Choate and Robert Hale.

not be brought before the houſe again the ſame ſeſſion unleſs there be as full a houſe as when it was paſſed upon. This, if obſerved, would ſtill be liable to inconvenience as any deſigning perſon might take an opportunity upon a change of faces, the number being as great as before, ſuddenly to carry any point, but even this rule, like many other of what are called ſtanding orders, is too frequently by votes, on particular occaſions, diſpenſed with, which leſſens the dignity of the houſe. 1747.

It ſeems to be of no conſequence to the prerogative whether the currency of a colony be ſilver or paper, but the royal inſtructions from time to time for preventing a depreciating currency, cauſed meerly by a gracious regard to the intereſt of the people, had generally engaged what was called the country party in oppoſition to them and in favor of paper. It was the caſe at this time. However, the next morning, two of the members of the houſe † zealous adherers to this party and who had been ſtrong oppoſers of the bill, came early to the houſe to wait the coming of the ſpeaker and, in the lobby let him know, that although they were not ſatisfied with ſeveral parts of the bill yet they were alarmed with the danger to the province from the ſchemes of thoſe perſons who were for a gradual reduction of the bills and, by that means, for raiſing the value of the currency without any proviſion for the relief of debtors and, therefore, they had changed their minds and, if the bill could be brought forward again, they would give their voice for it, and others who had oppoſed it would do the ſame. The ſpeaker, who had looked upon any further attempt to be to no purpoſe, acquainted them that he did not think it proper to deſire any of the favorers of the bill to move for a reconſideration of it, inaſmuch as it had been underſtood and agreed in the houſe the day before, that if upon a full debate had, the

† Joſeph Livermore the repreſentative of Weſton, and Samuel Witt repreſentative of Marlborough.

1749. bill ſhould be rejected, no further motion ſhould be made about it. Aſſoon as the houſe met, upon a motion by one of theſe members ſeconded by the other, the bill was again brought under conſideration and paſſed the houſe as it afterwards did the council and had the governor's conſent.

THE proviſion made by this act for the exchange of the bills and for eſtabliſhing a ſilver currency was altogether conditional and depended upon a grant of parliament for reimburſement of the charge of the Cape Breton expedition. This being at a diſtance and not abſolutely certain, the act had no ſudden effect upon the minds of the people, but when the news of the grant arrived the diſcontent appeared more viſible, and upon the arrival of the money there were ſome beginnings of tumults, and the authors and promoters of the meaſure were threatned. The government paſſed an act with a ſevere penalty againſt riots, and appeared determined to carry the other act for exchanging the bills into execution. The apprehenſion of a *ſhock* to trade proved groundleſs; the bills being diſperſed through every part of the province, the ſilver took place inſtead of them, a good currency was inſenſibly ſubſtituted in the room of a bad one, and every branch of buſineſs was carried on to greater advantage than befote. The other governments, eſpecially Connecticut and Rhode Iſland, who refuſed, upon being invited, to conform their currency to the Maſſachuſets, felt a *ſhock* in their trade which they have not yet recovered. The latter had been the importers, for the Maſſachuſets, of Weſt India goods for many years, which ceaſed at once. New-Hampſhire, after ſome years, revived its buſineſs and increaſed their trade in Engliſh goods, which formerly they had been ſupplied with from the Maſſachuſets. Perhaps, they have rather exceeded.

WE

WE ſhall finiſh this ſecond part of our hiſtory with a 1749.
few remarks upon the trade of the province at this day, compared with its trade in 1692.

THE other governments of New-England, ſixty or ſeventy years ago, imported no Engliſh goods, or next to none, directly from England, they were ſupplied by the Maſſachuſets trader. Now although our trade with Great Britain, upon the whole, is ſuppoſed to cauſe no addition to our wealth, yet, at leaſt ſo far as we are the channel for conveying ſupplies of goods to the other colonies for their conſumption, a benefit undoubtedly accrues. New Hampſhire, by their convenient ſituation were induced to become their own importers in a great meaſure ſome years before the alteration of our currency. They made their returns by ſhipping lumber, &c. eaſier than we did. At preſent, they probably import Engliſh goods equal to their conſumption. Connecticut, until we aboliſhed our bills of credit and theirs with them, continued their trade with us for Engliſh goods, but ſoon after turned great part of their trade to New-York, and ſome perſons became importers from England. They ſoon diſcovered their error. The produce of New-York is ſo much the ſame with that of Connecticut that the Maſſachuſets market will always be the beſt. The importer finds it more difficult to make his returns to England from Connecticut than from the Maſſachuſets. Connecticut trade therefore ſoon returned to the ſtate it had formerly been in.

RHODE-ISLAND, in part, became their own importers alſo, which they ſtill continue.

FOR the other colonies on the continent. Between South-Carolina and the Maſſachuſets, there never has been any conſiderable trade. The chief benefit from that colony has been the affording freights for our ſhips in the European trade.

North-Carolina, Virginia, Maryland, the Jerſeys and Penſylvania, until within 20 or 30 years, uſed to furniſh us with proviſions for which we paid them in Weſt India

and

1749. and ſometimes Engliſh goods and with our own produce and manufactures. Philadelphia of late is become the mart for the grain of great part of Maryland, which they manufacture into flour and ſupply the Maſſachuſets, Rhode Iſland and New-Hampſhire, and take little or no pay in return but money and bills of exchange. It ſeems agreed that the ſouthern colonies as far as Virginia are deſigned by nature for grain countries. It behoves us therefore, either like the Dutch for the other nations in Europe, to become carriers for them with our ſhipping, or to contrive ſome articles of produce or manufacture for barter or exchange with them, rather than in vain to attempt raiſing to more advantage than they do, what nature has peculiarly formed them for.

OUR trade with the Weſt India iſlands was much more profitable to us, from the beginning of king William's to the end of Queen Anne's war with France, than at any time ſince. Ever ſince the peace of Utrecht it has been continually growing worſe. Barbados required, then, more northern produce than it does now. The other iſlands, except Jamaica, have very little increaſed their demand. From the growth of the northern colonies and the new methods of living, the produce of the iſlands is more than double the price it uſed to be. Perhaps tea and coffee, alone, cauſe as great conſumption of ſugar as all other uſes, to which it was applied, did formerly. The produce of the northern colonies is as low in the iſlands as ever it was. Formerly their demand for northern produce not only afforded us in return, rum, ſugar and Molaſſes ſufficient for our own conſumption, but left a ſurplus which, in war time eſpecially, every year gave freight to ſhips from Boſton to England, and paid our debts there or procured a ſupply of goods from thence, whereas, at this day, the whole ſupply of northern produce to the Britiſh iſlands will not pay for one half the Weſt India goods conſumed or uſed in the northern colonies. The trade to the Dutch colonies, it is true, is ſince increaſed and our goods from time to time find

their

their way into the French iſlands, ſometimes through the Dutch, at other times, when French neceſſity calls for them, by permiſſion or other contrivances, and by this means we are able to procure the Weſt India goods we want for our conſumption over and above what we can obtain in pay for our produce from our own iſlands. Britain herſelf ſuffers, with her northern colonies, and pays dearly by the advanced price of ſugar, rum, &c. The Weſtindians, notwithſtanding, are continually endeavoring to reſtrain our trade with the foreign iſlands and colonies. If they could take of our produce as much as we have occaſion for of theirs it would appear leſs unreaſonable, or if, by our trade with the foreign colonies, the price of the produce of our own iſlands had fallen below the former rates they might have colour for complaint; but when the vent for northern produce by means of the great increaſe of the northern colonies, bears no proportion, from any one of them, to what it did formerly, and yet the produce of the iſlands is double the price it was formerly and their eſtates raiſed to more than five times the value, it muſt be unreaſonable to burden not only the inhabitants of the northern colonies but of Great-Britain alſo with a ſtill further advanced price of Weſt-India goods, and all to aggrandize the Weſt-India planters. Such a burden would infallibly be the effect of a rigid execution of the laws reſtraining or incumbering our trade with the French and Dutch colonies. But this is not all. If our trade with the foreign colonies be ſuppreſſed and our ſupplies of Weſt-India goods are confined to our own iſlands, the balance above what they require of our produce, muſt be paid them in ſilver and gold or exchange upon England, either of which muſt leſſen our returns to England and will probably leſſen our conſumption of their manufactures. Charlevoix ſays the French of Canada live well if they can get fine cloaths, if not they retrench from the table to adorn the perſon. I think the Engliſh coloniſts would rather abate from their dreſs than from their punch, tea, coffee, &c. 1749.

1749. IF the queſtion be, which is moſt for the intereſt of the Britiſh dominions in general, to reſtrain the French American trade or to give it all poſſible encouragement, it muſt be given in favor of encouragement. The ſpeedy ſettlement of this vaſt continent is generally ſuppoſed to be advantageous to Great-Britain. Every new houſe, new farm and new ſubject adds to the conſumption of Britiſh manufactures. Nothing more contributes to this ſpeedy ſettlement than a vent for the lumber, a great help in clearing the lands near the ſea and upon navigable rivers, and for proviſions the produce of ſettlements when made. But, on the other hand, admit that raiſing the price of Weſt-India produce tends to increaſe the number of plantations in the iſlands, yet, thoſe plantations, although more valuable, will never bear any proportion in number to the plantations and ſettlements upon the continent, and the increaſe of white ſubjects will be ſtill leſs in proportion. Blacks eat and drink nothing and wear next to nothing of Britiſh manufacture.

THERE has been a great alteration in our trade with Great-Britain. At the beginning of this period and until within 30 or 40 years paſt, merchants and manufacturers in England ſhipped goods upon their own accounts, which were ſold here upon commiſſion, and although there was appearance of profit from the ſales, yet by the loſs upon returns, moſt adventurers in a courſe of years were great loſers. Diſcerning perſons in London when they ſaw a man going deep into trade to the colonies would pronounce him ſhort lived.

THE trade is now upon a more certain footing for the people of England. Few goods are ſent to be ſold upon commiſſion. The manufacturer depends upon the merchant in England for his pay. The merchant receives his commiſſion and generally agrees with his correſpondent, for whom he is in advance, in the colonies that after 6 or 9 months credit, if payment be not made, intereſt ſhall be allowed. Bad debts muſt be expected more or leſs in all extenſive trade. Perhaps they are

not

not more frequent in the colonies than among the like 1749.
number of traders in England.

THE cod and whale fiſhery are in a more flouriſhing ſtate than formerly. The veſſels employed in cod fiſhing have been more numerous, but they were ſmall ſhallops and one of the ſchooners now employed in that fiſhery take as much fiſh in a ſeaſon as two ſhallops uſed to do.*

THE French are ſuppoſed to maintain a fiſherman at leſs expence than the Engliſh. Be it ſo, the Engliſh catch and make their fiſh at leſs expence than the French notwithſtanding. Five or ſix well fed Marblehead or Cape Ann men catch as much fiſh as 10 or 12 meagre French men in the ſame time. The French find their account in taking what they call their muid or mud fiſh when the Engliſh cannot. This is owing to the vent which the French markets afford for that ſort of fiſh. In what they call a ſedentaire and we a ſhore fiſhery we ſhall always outdo them, unleſs the ports of the other nations in Europe as well as thoſe of the French ſhould be ſhut againſt us. If every family in Britain ſhould make one dinner in a week upon New-England cod fiſh it would cauſe an amazing increaſe of the conſumption of Britiſh manufactures.

IT is certain that before the war of 1744 the French fiſhery declined. They uſed to go from Louiſburgh to Canſo and buy the Engliſh fiſh for the French European markets, becauſe it came cheaper to them than they could catch and make it.

THE increaſe of the conſumption of oyl by lamps as well as by divers manufactures in Europe has been no ſmall encouragement to our whale fiſhery. The flouriſhing ſtate of the iſland of Nantucket muſt be attributed to it. The cod and whale fiſhery, being the principal ſource of our returns to Great-Britain, are therefore worthy not only of provincial but national attention.

FORMERLY

* The faſhion of the rigging and ſails of a ſchooner is challenged as a New-England invention, the firſt is ſaid to have been built at Cape Ann, about the year 1714, by Capt. Andrew Robinſon.

1749. FORMERLY the trade to Newfoundland was valuable: The increaſe of the northern colonies has carried from us great part of the ſupplies we uſed to make. Our late began commerce with Nova-Scotia is valuable but will not compenſate for this loſs.

THE manufacture of pot-aſh promiſes great benefit to the colonies. It is to be wiſhed, they may meet with no diſcouragement. Frauds in package and adulteration cannot be of any long continuance. The leaſt that can be done by every government, where it is manufactured, is a law to compel every perſon to ſet his name and the name of the town where he lives upon the caſk in which he packs his pot-aſh. This will go a great way towards preventing fraud. Should the Ruſſia traders combine to underſell thoſe who import from America, yet it will be conſidered that the Ruſſia trade is drawing every year from the nation a large balance in bullion, whereas the increaſe of imports from the colonies only tends to an increaſe of national exports, and the body of the nation will combine againſt the Ruſſia traders.

I remember one advantage from paper money. Upon the depreciation, from time to time, the wages of ſeamen and the rate at which coaſting veſſels and others were hired did not immediately riſe in proportion to the riſe of ſilver and exchange with London and other parts of the world. We were thus led to employ our veſſels as carriers to and from many parts of the continent, the Weſt-Indies and Europe becauſe we let them upon cheaper freight and hire than any other colony would do. The war in 1744 gave a turn to this part of buſineſs, but we may learn from what happened then, without any premeditated plan or deſign, what we are capable of, viz. navigating our veſſels, eſpecially if further improvements be made in the conſtruction of them, with ſo little expence as, like the Dutch in Europe, to become carriers for America. The advantage, in this particular inſtance, of the reduction of the price of labour ſhews us

what

what improvements might be made in other branches of trade and manufacture if ever it ſhould be reduced in proportion to the price in Europe, compared with the price of the neceſſaries of life. 1749.

It was hard parting with a free open trade to all parts of the world which the Maſſachuſets carried on before the preſent charter. The principal acts of parliament were made many years before, but there was no cuſtomhouſe eſtabliſhed in the colony nor any authority anxious for carrying thoſe acts into execution. It was ſeveral years after the new charter, before they were generally obſerved. If we are under no other obligations, we certainly enjoy and cannot ſubſiſt without the protection of our mother country, over our trade at ſea, our perſonal eſtate aſhore, the territory itſelf, our liberties and lives. It is owing, in a great meaſure, to the taxes, duties and exciſes, the conſequences of an enormous load of debt, that the manufactures of England come dearer to us than thoſe of other countries. Great part of this debt was incurred by our immediate protection. Shall we think much of ſharing in the burden when we have been ſo great ſharers in the benefit? There is no way in which we can more effectually contribute to the national relief than by ſubmitting to regulations and reſtraints upon our trade, and yet no way in which we ſhould be ſo little ſenſible of it.

It has been the general voice that our trade to Great-Britain ſhould be contracted and that our inhabitants ſhould be employed in the ſame kind of manufactures we import from thence, the materials for moſt of which we have or may have within ourſelves.

The great creator of the univerſe in infinite wiſdom has ſo formed the earth that different parts of it, from the ſoil, climate, &c. are adapted to different produce, and he ſo orders and diſpoſes the genius, temper, numbers and other circumſtances relative to the inhabitants as to render

1749. render ſome employments peculiarly proper for one country, and others for another, and by this proviſion a mutual intercourſe is kept up between the different parts of the globe. It would be folly in a Virginian to attempt a plantation of rice for the ſake of having all he conſumes from the produce of his own labour, when South-Carolina, by nature, is peculiarly deſigned for rice, and capable of ſupplying one half the world. Old countries, ſtocked with people, are ordinarily beſt adapted to manufactures. Would it be the intereſt of New England, whilſt thin of people, to turn their attention from the whale, cod, mackarel and herring fiſhery, their lumber trade and ſhip building, which require but few hands compared with many other ſorts of buſineſs, to ſuch manufactures as are now imported from Great Britain, or to take their ſons from clearing the land and turning an uncultivated wilderneſs into pleaſant and profitable fields, and ſet them to ſpinning, weaving and the like employments? I do not mean to diſcourage any perſons who cannot improve their time to greater advantage from employing themſelves and families, in any branch of manufacture whatſoever. Idleneſs is the certain parent of vice. Induſtry, introduced, will ordinarily tend to produce a change of manners. A general philanthropy will induce us to delight in and contribute to the happineſs of every part of the human race, by which we our ſelves are no ſufferers; the ſtate from whence we ſprang and upon which we ſtill depend for protection, may juſtly expect to be diſtinguiſhed by us, and that we ſhould delight in and contribute to its proſperity, beyond all other parts of the globe.

APPENDIX.

APPENDIX.

NUMBER I.

A Summary of the affairs of the colony of New-Plimouth, from the firſt ſettlement until the incorporation with Maſſachuſets-Bay, &c. in one province.

THE firſt ſettlers of New-Plimouth, as we have obſerved in our hiſtory of the Maſſachuſets colony, went. in the beginning of the 17th century, from England to Holland. Their removal to Holland was attended with no ſmall difficulty and hazard. One of the company * gives this account of it. "There was a large company of them propoſed "to get paſſage at Boſton in Lincolnſhire and, for that "end, had hired a ſhip wholly to themſelves, and made "agreement with the maſter to be ready at a certain day, "and take them and their goods in at a convenient place, "where accordingly they would all attend in readineſs. "So after long waiting and large expence, tho' he kept "not day with them, yet he came at length and took them "in, in the night. But when he had them and their "goods aboard he betrayed them, having before hand "complotted with the ſearchers and other officers ſo to "do, who took them and put them into open boats and "then rifled and ranſacked them, ſearching them to their "ſhirts for money, yea even the women, further then "became modeſty, and then carried them back into the "town, and made them a ſpectacle and wonder to the "multitude,

* Bradford.

" multitude, which came flocking on all ſides to behold
" them. Being thus, firſt by the catch-poles, rifled and
" ſtript of their money, books and much other goods,
" they were preſented to the magiſtrates, and meſſengers
" ſent to inform the lords of the council of them, and
" ſo they were committed to ward. Indeed the magiſ-
" trates uſed them courteouſly and ſhewed them what
" favor they could, but could not deliver them till order
" came from the council table, but the iſſue was that,
" after a month's impriſonment, the greateſt part were
" diſmiſſed and ſent to the places from whence they
" came, but ſeven of the principal men were ſtill kept
" in priſon and bound over to the aſſizes. The next
" ſpring after there was another attempt made, by ſome
" of theſe and others, to get over at another place. And
" ſo it fell out that they light of a dutchman at Hull,
" having a ſhip of his own belonging to Zealand. They
" made agreement with him and acquainted him with
" their condition, hoping to find more faithfulneſs in him
" than in the former of their own nation. He bad them
" not fear, for he would do well enough. He was by
" appointment, to take them in between Grimſtone and
" Hull, where was a large common a good way diſtant
" from any town. Now againſt the prefixed time, the
" women and children, with the goods, were ſent to the
" place in a ſmall barke, which they had hired for that
" end, and the men were to meet them by land, but it
" ſo fell out that they were there a day before the ſhip
" came and, the ſea being rough and the women very
" ſick, prevailed with the ſeamen to put into a creek hard
" by, where they lay on ground at low water. The
" next morning the ſhip came, but they were faſt and
" could not ſtir till about noon. In the mean time, the
" ſhip maſter, perceiving how the matter was, ſent his
" boat to get the men aboard whom he ſaw ready, walk-
" ing about the ſhore, but after the firſt boat full was got
" aboard and ſhe was ready to go for more, the maſter
" eſpied a great company both horſe and foot, with bills

and

"and guns and other weapons, for the country was raiſed "to take them. The dutchman, ſeeing that, ſwore his "country oath 'ſacramente' and, having the wind fair, "weighed anchor, hoiſted ſails and away.—After endur- "ing a fearful ſtorm at ſea for 14 days or more, 7 whereof "they never ſaw ſun moon nor ſtars, and being driven "near the coaſt of Norway, they arrived at their deſired "haven, where the people came flocking, admiring "their deliverance, the ſtorm having been ſo long and "ſore, in which much hurt had been done, as the maſter's "friends related to him in their congratulations. The "reſt of the men that were in greateſt danger made a "ſhift to eſcape away before the troop could ſurprize "them, thoſe only ſtaying that beſt might be aſſiſting un- "to the women. But pitiful it was to ſee the heavy caſe "of theſe poor women in diſtreſs; what weeping and "crying on every ſide, ſome for their huſbands that were "carried away in the ſhip, others not knowing what "ſhould become of them and their little ones, crying for "fear and quaking with cold. Being apprehended, they "were hurried from one place to another till, in the end, "they knew not what to do with them; for, to impri- "ſon ſo many women with their innocent children for "no other cauſe, many of them, but that they would go "with their huſbands, ſeemed to be unreaſonable and all "would cry out of them, and to ſend them home again "was as difficult, for they alledged, as the truth was, "they had no homes to go to, for they had either ſold "or otherwiſe diſpoſed of their houſes and livings: To "be ſhort, after they had been thus turmoiled a good "while and conveyed from one conſtable to another, "they were glad to be rid of them in the end upon any "terms though, in the mean time, they poor ſouls en- "dured miſery enough."

AFTER eleven or twelve years reſidence in Holland, in which time they had contention among themſelves and divided and became two churches or congregations, one of the congregations, whoſe miniſter was Mr. John

Robinſon, determined to remove to America. There were many obſtacles in their way and it took up ſeveral years of their pilgrimage* to make the neceſſary preparations for ſuch an undertaking. At length, in the year 1620, about one half the congregation embarked firſt from Holland to England, where two ſhips were ready to receive them and they actually ſailed at a very ſeaſonable time, but meeting with contrary winds and one of the ſhips proving leaky, they put back and were obliged to leave her with part of their company behind, the other ſhip proceeding upon her voyage late in the year, ſo that it was about the 8th or 9th of November before they made the coaſt of America, and falling more to the northward than they intended they made another attempt to ſail further ſouthward, but meeting with contrary winds and hazardous ſhoals they were glad to put into the harbour of Cape Cod,† determined to winter in the moſt convenient place they could find. This diſappointment was grievous to them but, before ſpring, they conſidered it as a favorable providence. They were ſo reduced in the winter by ſickneſs and death that they ſuppoſed they muſt have fallen a ſacrifice to the Indians upon Hudſon's river, where they propoſed to begin a colony. The maſter, or pilot, it is ſaid, bribed by the Dutch Weſt-India company, had engaged, at all events,

* I think I may with ſingular propriety call their lives a pilgrimage. Moſt of them left England about the year 1609, after the truce with the Spaniards, young men between 20 and 30 years of age: They ſpent near 12 years, ſtrangers among the Dutch, firſt, at Amſterdam, afterwards, at Leyden. After having arrived to the meridian of life, the delining part was to be ſpent in another world, among ſavages, of whom every European muſt have received a moſt unfavorable if not formidable idea. *Tantum religio potuit ſuadere.*

† November 10th. Cape Cod was the name which Goſnold gave it in 1692. Smith afterwards called it Cape James, but the firſt name having obtained among ſeamen the other could not prevail againſt it. Both French and Dutch called it Malebar for a long time, their writers do ſo perhaps to this day, from a ſhipwreck there.

events, not to land them at Hudſon's river, but they were determined upon it and earlier in the year he would have found it very difficult to have diverted them.

THE ſhip lay five weeks in Cape Cod harbour. They could not expect to find a better harbour, but the land was of no value. The paſſengers were employed, ſome times travelling by land ſometimes by water, in ſearch of ſome other harbour where there was better land, but could find none capable of receiving veſſels of any burden. At length, December 6th, they reſolved upon one attempt more and, after coaſting many leagues, a violent ſtorm aroſe and their pilot made for the firſt harbour which he ſuppoſed to be Sagaquabe, where he was well acquainted, but ſoon found himſelf in a cove* full of breakers, and crying out, 'my eyes never ſaw this place before,' would have run the ſhallop aſhore before the wind, if a ſtout ſeaman who was at the helm had not called to the oars men, 'about with her if you are men,' and by this means he ſaved their lives, for he diſcovered an opening or ſound ahead and, in a ſhort time, run the boat under the lee of an iſland now well known by the name of Clark's iſland. Here they rode out the ſtorm and in the morning went aſhore, kindled a fire and reſted, it being the firſt day of the week. The next day they ſounded many parts of the harbour and found good water for ſhips and were pleaſed with the land, and judged it the beſt place they had ſeen, and the Indian cornfields round the harbour encouraged them that they ſhould be able alſo to raiſe bread for their ſupport. Upon their return to the ſhip with this good news, they weighed anchor and the whole company arrived the 16th of December. The whole number excluſive of the mariners, amounted to 101, about one fourth part heads of families, the reſt wives, children and ſervants. They ſuppoſed ſome at leaſt of the company which they left

* Since called the Gurnet's noſe.

behind in England, and moſt of the congregation in Leyden, with Mr. Robinſon the miniſter,* would follow; and this ſeems to have been the whole number expected, upon their plan, for compleating the colony.

THEY

* Thirty five did arrive the 9th of November the next year, but their miniſter never came. He encouraged them from year to year and ſeems to have been prevented by diſappointments from thoſe in England, who undertook to provide for the paſſage of him and his congregation, until the year 1625, when he died and his congregation diſperſed, although ſome found their way to their brethren before and ſome after his death. He was at firſt a thorough ſeperatiſt, and Mr. Hubbard ſays "was tranſported with their principles ſo far as to publiſh his opinions "againſt hearing any of the preachers of the church of England "were they never ſo learned and pious, but afterwards acknowledged his error in a judicious and godly diſcourſe" &c. He is ſaid to have been a man of good learning and of a benevolent diſpoſition. Mr. Bradford relates an anecdote which ſhews him, as well as their congregation in general, to have been in no ſmall eſteem among the dutch. "The magiſtrates of the "city about the time of their coming away, or a little before, in "the public place of juſtice, gave this commendable teſtimony "of them in the reproof of the Walloons who were of the French "church in the city. Theſe Engliſh, ſaid they, have lived "among us now theſe 12 years and yet we never had any ſuit "or accuſation come againſt any of them, but your ſtrifes "and quarrels are continual &c.—— In theſe times alſo were "great troubles raiſed by the Arminians, who, as they greatly "moleſted the whole ſtate, ſo this city, in which was the chief "univerſity, in particular, and the two profeſſors or divinity "readers themſelves were divided in their opinions, the one "teaching for it and the other againſt it.—Epiſcopius, the "Arminian profeſſor, put forth his beſt ſtrength and ſet forth "ſundry theſes which by publick diſpute he would defend "againſt all men. Now Poliander, the other profeſſor, and the "chief preachers of the city, deſired Mr. Robinſon to diſpute "againſt him, but he was loth being a ſtranger, yet the other "did importune him and told him that ſuch was the abilities "and nimbleneſs of the adverſary that the truth would ſuffer "if he did not help them, ſo that he condeſcended and pre"pared himſelf againſt the time, and when the day came the "Lord did ſo help him to defend the truth and foil his adver"ſary as he put him to an apparent nonplus in this great and "public audience, and ſo he did a ſecond and a third time up-

"on

THEY had obtained a grant of part of the continent near Hudſon's river, before the year 1620, and expected to be under the government of the colony in Virginia, but before they embarked they heard that the lands within their grant were made part of a new patent to the council of Plimouth in Devon, ſo that they were going into a part of the world where there was no government ſubſiſting by authority from any European ſtate, nor did they carry other powers or authority with them than what each of them brought into the world.

THEY were convinced, upon their paſſage, that they could not long ſubſiſt without government. Some of the inferior claſs among them muttered that, when they ſhould get aſhore, one man would be as good as another, and they would do what ſeemed good in their own eyes. This led the graver ſort to conſider how to prevent it, and, for this purpoſe, they prepared the following inſtrument for every man to ſign before he landed.

"IN the name of God amen. We whoſe names are "underwritten, the loyal ſubjects of our dread ſove- "reign lord king James, by the grace of God of Great- "Britain, France and Ireland, king, defender of the faith "&c. Having undertaken for the glory of God and "advancement of the chriſtian faith, and honor of our "king and country, a voyage to plant the firſt colony in "the northern parts of Virginia, do by theſe preſents, "ſolemnly and mutually in the preſence of God and one "of another, covenant and combine ourſelves together "into a civil body politick for our better ordering and "preſervation and furtherance of the ends aforeſaid, and "by virtue hereof to enact, conſtitute and frame ſuch "juſt and equal laws and ordinances, acts, conſtitutions "and offices, from time to time, as ſhall be thought moſt

"on ſuch like occaſions, which procured him much honor and "reſpect, &c.—and ſo far were they from being weary of him "and his people, or deſiring their abſence, as was ſaid by ſome, "of no ſmall note, that, were it not for giving offence to the "ſtate of England, they would have preferred him, and allow- "ed them ſome public favor."

" meete and convenient for the general good of the " colonie, unto which we promiſe all due ſubjection and " obedience. In witneſs whereof we have hereunto " ſubſcribed our names at Cape Cod the 11th of No- " vember, in the year of the reign of our ſovereign lord " King James of England, France and Ireland the 18th, " and of Scotland the 54th, Anno Dom. 1620. Signed by " John Carver, Wm. Bradford, Edw. Winſlow, Wm. " Brewſter, Iſaac Allerton, Miles Standiſh, John Alden, " Sam. Fuller, Chriſtopher Martin, Wm. Mullins, " Wm. White, Richard Warren, John Howland, Ste- " phen Hopkins, Edw. Tilley, John Tilley, Francis " Cook, Thomas Rogers, Thomas Tinker, John " Ridgſdale, Edw. Fuller, John Turner, Francis Eaton, " James Chilton, John Croxton, John Billington, Joſes " Fletcher, John Goodman, Digory Prieſt, Thomas " Williams, Gilbert Winſlow, Edw. Margeſon, Peter " Brown, Richard Bitteridge, George Soule, Richard " Clarke, Richard Gardner, John Allerton, Thomas " Engliſh, Edw. Doten, Edw. Lieſter," †

By

† Theſe I ſuppoſe to have been all the males, of age, in the company, twenty one of whom died before the end of March, of the ſcurvey and other ſickneſs, cauſed by bad lodging and bad diet and the hardſhips of the winter. About the ſame proportion of the women and children died alſo, 50 being the whole number then ſurviving. In 1650 there were 30 remaining alive, in 1679 only 12, in 1694 only 2, and Mary Cuſhman only, daughter of Iſaac Allerton, was alive in 1698. I will give a brief account of ſeveral of theſe perſons. John Carver had been deacon of their church in Holland, was eſteemed for his diſcrete diſcharge of that office and being a grave judicious man, their eyes were upon him for their chief ruler before they embarked. He lived but a ſhort time. His grandſon died about 10 or 12 years ſince, at Marſhfield at the age of 102. Not long before his death this grandſon with his ſon, his grandſon and great grandſon were all at work together without doors, and the great great grandſon was in the houſe at the ſame time. This is not common. William Bradford was one of the younger men of the company. Douglaſs ſays he was a man of no family and no learning. His manuſcripts ſhew that he was a plain ſenſible man and in his public truſt

he

By this inſtrument they formed themſelves into a proper democracy, and if they had gone no further perhaps they would have done but little towards preſerving order.

he was eſteemed as a diſcrete, upright and faithful officer, and he deſerves a better character than many of ſuperior birth and education. His ſon was deputy governor after his death, his grand ſon and two of his great grandſons, one of them now living have been of the council for the province. Edward Winſlow was of a very reputable family and of a very active genius which fitted him for employment abroad, and in a great meaſure prevented a competition between Bradford and him for the governor's place. He was concerned in managing their treaties with the Indians, and with the neighbouring colonies, made ſeveral voyages to the eaſtward and to Connecticut river, as well as four or five voyages to England in the ſervice of the colony firſt and, afterwards, of the Maſſachuſets and ſo eſtabliſhed himſelf in the favor of the then ſupreme authority in England as to be employed in ſome very important ſervices. In 1651, he was one of the commiſſioners of Haberdaſhers-hall, as they were called from the place of meeting and in 1655 was one of the three ſuperintendents in Cromwell's Weſt-India expedition. In one of his embaſſies, viz. in 1635 he had hard meaſure in England, the particular circumſtances his friend Bradford has preſerved from oblivion, "It "came to paſs that having occaſion to anſwer ſome complaint "made againſt the country at council board, chiefly concerning "his neighbours in the bay, the which he did to great effect, "and further proſecuting ſuch things as might tend to the good "of the whole as well themſelves as others about the wrongs "and encroachments that the French and other ſtrangers both "had done and were like further to do unto them if not pre-"vented, he preferred the petition following to their honors "that were deputed commiſſioners for the plantations.

To the right honorable the Lords Commiſſioners for the plantations in America.

The humble petition of Edward Winſlow on behalf of the plantations in New-England humbly ſheweth unto your Lordſhips, that whereas your petitioners have planted themſelves in New-England under his majeſty's moſt gracious protection, now ſo it is, right honorable, that the French and Dutch do endeavour to divide the land between them, for which purpoſe the French have upon the eaſt ſide entered and ſeized upon one of our houſes and carried away the goods, ſlew two of the men in another place and took the reſt priſoners with their goods; and

order. But one great reaſon of this covenant ſeems to have been of a meer moral nature, that they might remove all ſcruples of inflicting neceſſary puniſhments, even

and the Dutch in the weſt have alſo made entry upon Conecticut river within the limits of his majeſty's letters patents, where they have raiſed a fort and threaten to expel your petitioners thence who are alſo planted upon the ſame river, maintaining poſſeſſion for his majeſty to their great charge and hazard both of lives and goods. In tender conſideration hereof your petitioners humbly pray, that your lordſhips will either procure their peace with thoſe foreign ſtates or elſe give ſpecial warrant unto your petitioners and the Engliſh colonies to right and defend themſelves againſt all foreign enemies. And your petitioners ſhall ever pray, &c.

" This petition found good acceptation with moſt of them, and " Mr. Winſlow was heard ſundry times by them, and appoint- " ed further to attend for an anſwer from their lordſhips, eſpe- " cially having upon conference with them laid down a way " how this might be done without any other charge or trouble " to the ſtate, only by furniſhing ſome of the chief of the " country here with authority, who would undertake it at " their own charge, and in ſuch a way as ſhould be without " any public diſturbance. But this croſſed both Sir Ferdi- " nando Gorges and Capt. Maſon's deſign, and that of the " archbiſhop of Canterbury by them, for Sir F. Gorges, by " the archbiſhop's favor, was to have been ſent over general " governor into the country and to have had means from the " ſtate for that end, and was now upon diſpatch and conclu- " ſion of the buſineſs. And the archbiſhop's intent was by his " means and ſome he ſhould ſend with him (to be furniſhed " with epiſcopal power) to diſturb the peace of the churches " here, and to overthrow their proceedings and prevent their " further growth, which was the thing he aimed at. But it " ſo fell out, by God's providence, that though he in the end " croſſed this petition from taking any further effect in this " kind, yet by this as a chief means the plot and whole buſineſs " of his and Sir Ferdinando's fell to the ground and came to " nothing. When Mr. Winſlow ſhould have had his ſuit " granted, as indeed, upon the point it was, and ſhould have " been confirmed, the archbiſhop put a ſtop upon it, and Mr. " Winſlow, thinking to get it freed, went to the board again, " but the biſhop, Sir Ferdinando and Capt. Maſon had, as it " ſeems, procured Morton to complain, to whoſe complaints " Mr. Winſlow made anſwer to the good ſatisfaction of the " board who checked Morton and rebuked him ſharply, and

" alſo

even capital ones, ſeeing all had voluntarily ſubjected themſelves to them. By common conſent they agreed upon Mr. John Carver to be their firſt governor, "con-

"fiding

"alſo blamed Sir Ferdinando Gorges and Maſon for counte-
"nancing him, but the biſhop had further end and uſe of his
"preſence, for he now began to queſtion Mr. Winſlow of many
"things, as of teaching in the church publickly, of which
"Morton accuſed him and gave evidence that he had ſeen and
"heard him do it, to which Mr. Winſlow anſwered that ſome-
"times, wanting a miniſter, he did exerciſe his gift to help
"the edification of his brethren when they wanted better
"means, which was not often. Then about marriage, the
"which he alſo confeſſed, that having been called to place of
"magiſtracy he had ſometimes married ſome; and further
"told their lordſhips that marriage was a civil thing and he
"found no where in the word of God that it was tyed to a
"miniſter, again, they were neceſſitated ſo to do, having for
"a long time together at firſt no miniſter, beſides, it were no
"new thing, for he had been ſo married himſelf in Holland
"by the magiſtrates in their ſtate houſe. But, in the end, to
"be ſhort, by theſe things, the biſhop by vehement importu-
"nity got the board at laſt to conſent to his commitment, ſo
"he was carried to the fleet and lay there 17 weeks or there-
"abouts before he could get to be releaſed. The other deſign
"by this buſineſs and other things concurring, was fruſtrated,
"which was no ſmall bleſſing to the people here." Mr. Winſlow ſettled at Marſhfield upon a valuable tract of land which now belongs to his eldeſt male deſcendant. A rare inſtance among us. To his eſtate he gave the name of Careſwell, and from thence dated many of his letters to governor Winthrop, with whom he was very intimate, and frequently came from thence to Boſton to viſit him, ſometimes, perhaps, by water but often by land, not as governors travel at this day in a chariot or poſt-chaiſe, but for ſome of the firſt years at leaſt, upon his feet. In the ſame manner governor Endicot travelled from Salem to Boſton. I was pleaſed with this paragraph of a letter from him to his ſucceſſor, governor Winthrop, "Salem, 12th of April 1631, Right worſhipful,
"I did hope to have been with you in perſon at the court,
"and to that end I put to ſea yeſterday and was driven back
"again, the wind being ſtiff againſt us and, there being no
"canoe or boat at Sawgus (Lyn) I muſt have been conſtrained
"to go to Miſtick and thence about to Charleſton which, at this
"time I durſt not be ſo bold, my body being at preſent in an

ill

"fiding in his prudence that he would not adventure "upon any matter of moment without conſent of the "reſt or, at leaſt, advice of ſuch as were known to be the "wiſeſt

"ill condition to wade or take cold and therefore I deſire you "to pardon me." I can't help revering our good forefathers who chearfully expoſed themſelves to theſe hardſhips. Mr. Winſlow's ſon was firſt an aſſiſtant, then governor of the colony, his grandſon one of the council for the province, and many years at the head of the county of Plimouth, one of his great grandſons loſt his life fighting for his country, (p. 307) and two others are now living in repute, and in offices of honor and truſt, and there are many reputable branches of the name and family in different parts of the province. William Brewſter was highly eſteemed by the whole company, was their ruling elder in Holland, which ſeems to have been the bar to his being their governor, civil and eccleſiaſtical office in the ſame perſon being then deemed incompatible. Mr. Bradford gives this account of him. "After he had attained "the knowledge of the latin tongue and ſome inſight into the "greek, and ſpent ſome ſmall time at Cambridge; and then, "being firſt ſeaſoned with the ſeeds of grace and virtue, he "went to the court and ſerved that religious and godly gen- "tleman Mr. Daviſon divers years, when he was ſecretary of "ſtate, who found him ſo diſcrete and faithful, that he truſted "him above all other that were about him, and only employed "him in all matters of greateſt truſt and ſecrecy. He eſteemed "him rather as a ſon than a ſervant, and for his wiſdom and "godlineſs, in private, he would converſe with him more like "a friend and familiar than a maſter. He attended his maſter, "when he was ſent in ambaſſage by the queen into the low "countries, in the earl of Leiceſter's time.—He afterwards re- "mained with him till his trouble, when he was put from his "place about the death of the queen of Scots, and ſome time "after, doing him many faithful offices of ſervice in the time "of his troubles. Afterwards he went and lived in the coun- "try in good eſteem among his friends and the gentlemen of "thoſe parts, eſpecially the godly and religious——He was the "chief of thoſe that were taken at Boſton and ſuffered the "greateſt loſs.——After he came into Holland he ſuffered "much hardſhip, having ſpent moſt of his means, having a "great charge and many children, and in regard of his former "breeding and courſe of life not ſo fit for many employments "as others were, eſpecially ſuch as were toilſome and laborious. "In the latter part of the time ſpent in Holland, his outward

"condition

" wiſeſt among them." (*Hubbard.*) They ſeem cautiouſly to have reſerved as much of their natural liberty as could be conſiſtent with the maintenance of government and

" condition was mended.——He fell into a way, by reaſon he " had the latin tongue, to teach many ſtudents who had a de- " ſire to learn the Engliſh tongue, for he drew rules to learn " it after the latin manner, and many gentlemen both Danes and " Germans, reſorted to him, as they had time from their other " ſtudies, ſome of them being great mens ſons.——Removing " into this country theſe things were laid aſide, and a new " courſe of living muſt be ſubmitted to, in which he was no " way unwilling to take his part and to bear his burthen with " the reſt, living many times without bread or corn many " months together, many times having nothing but fiſh, and " often wanting that alſo, and drank nothing but water for " many years together, yea till within five or ſix years of his " death, and yet he lived by the bleſſing of God in health till " very old age," &c. He lived until 1643, and then died at the age of 84. His grandſon, William Brewſter, was deacon of the church at Duxbury. Many of his poſterity, I am informed, are living in that colony. Iſaac Allerton or Alderton, the firſt aſſiſtant, was employed ſeveral times to negociate matters in England, relative to their trade, and at length left them and ſettled there. His male poſterity ſettled in Maryland. If they be extinct, point Alderton, which took his name, will probably preſerve it many ages. Miles Standiſh is ſaid, by Morton, to have been " a gentleman of Lancaſhire, heir to a great eſtate, " ſurreptitiouſly detained from him, his great grandfather being " a ſecond or younger brother of the houſe of Standiſh," had been a ſoldier in the low countries, and was thought, although of remarkably ſmall ſtature, the moſt proper perſon for their chief military officer as long as he lived. Many things are ſaid of his notable ſtrength and courage. When the news of the firſt Indians being killed, by him, came to Mr. Robinſon in Holland, he writes to his church to conſider the diſpoſition of their captain, who it ſeems was of a warm temper, and he hoped the Lord had ſent him among them for good, if they uſed him right, but Mr. Robinſon doubted whether there was not wanting that tenderneſs of the life of man, made after God's image, which was meet, and he thought it would have been a happy thing if they had converted ſome before they had killed any. It ſeems Standiſh was not of their church, at firſt, and Mr. Hubbard ſays he had more of his education in the ſchool of Mars than in the ſchool of Chriſt. He acquired however the eſteem of the whole colony, and died in 1656, much lamented. His

farm

and order. This was rational and every thinking man when he firſt quitted the ſtate of nature would do the ſame. Lord chief juſtice Holt ſaid, in the caſe of Blankald v. Galdy,

farm in Duxbury retains the name of Captain's hill to this day, and ſome part of it yet remains in the poſſeſſion of one of his poſterity. William White was remarkable for being the father of the firſt born child, Peregrine White, who lived until 1704. (p. 198.) Stephen Hopkins was one of the aſſiſtants, and ſeems to have been much employed in their publick affairs. Purchaſe mentions one Stephen Hopkins, one of Sir George Somers's company at Bermudas, as being diſaffected to their civil and eccleſiaſtical regulations and a promoter of ſeparation, and not unlikely to be the ſame perſon. He was the anceſtor of Mr. Hopkins of Providence, the preſent governor of Rhode Iſland. Richard Warren is mentioned by Bradford as a moſt uſeful man among them the ſhort time he lived, dying in 1628; his ſon, grandſon and great grandſon have been ſince employed in publick poſts in the colony and province. John Alden was many years an aſſiſtant, and ſeveral of his deſcendants have ſuſtained publick offices and ſome of them are now living: So are the deſcendants of John Howland. I can give no account of the reſt of this company. Timothy Hatherly was a merchant in London, engaged with them from the beginning, and came over two or three years after the firſt. He was the principal founder of the town of Scituate, and was an aſſiſtant: So was Thomas Willett who came from London in 1629, and was a principal trader with the Dutch at Manhados, and in ſuch eſteem with them that they choſe him a referree to ſettle their controverted boundary with the colony of Newhaven. He lived many years after, and died at Swanzey. His ſon was one of the firſt ſettlers of the Naraganſet country in the beginning of this century, and his grandſon Francis Willett, Eſq; is a perſon of diſtinguiſhed character in that colony. William Thomas, Edmund Freeman, James Cudworth, Thomas Southworth, were all aſſiſtants, and their families ſtill remain in the colony. I may not omit taking notice of Richard Bourne, an early ſettler, and a moſt zealous and indefatigable promoter of the goſpel among the Indians, and though I do not find him named in the magiſtracy himſelf, yet two of his deſcendants have been of the council for the province, and ſeveral more are now living of very reputable characters, and diſtinguiſhed by poſts of honor and truſt. Theſe were the founders of the colony of New-Plimouth. The ſettlement of this colony occaſioned the ſettlement of Maſſachuſets-bay, which was the ſource of all the other

Galdy, that in caſe of an uninhabited country newly found out by Engliſh ſubjects, all laws in force in England are in force there, and the court agreed with him. Until they ſhould agree upon laws ſuited to their peculiar circumſtances, our Plimotheans reſolved to make the laws of England their rule of government, which, Mr. Hubbard ſays, "they were willing to be ſubject "unto, although in a foreign land," and it ſeems they differed much in this reſpect from the Maſſachuſets coloniſts, and never eſtabliſhed any diſtinct code or body of laws, but "added ſome particular municipal laws of "their own, ſuitable to their conſtitution, in ſuch caſes "where the common law and the ſtatutes of England "could not well reach and afford them help in emer-"gent difficulties, following the advice of Pacuvius to "his neighbours of Capua, not to caſhier their old ma-"giſtrates till they could agree upon better to place in "their room." Cartwright, who had a chief hand in reducing puritaniſm to a ſyſtem, held, that the magiſtrate was bound to adhere to the judicial law of Moſes and might not puniſh nor pardon otherwiſe than they preſcribed, and him the Maſſachuſets people followed. It muſt be allowed that, in ſome inſtances, the Plimotheans run into the ſame errors with the Maſſachuſets and eſtabliſhed penalties diſproportioned to the offences. A young factor, who came from Virginia, was captivated with the charms of an Indian girl and the effects of a criminal converſation ſoon appeared. He found ſuſpicions riſing againſt him, and had no other way to avoid whipping but to leave the colony. Accordingly he privately departed to the colony from whence he came, where I ſuppoſe his offence would not have been thought very heinous. If he had forged a deed he might have eſcaped

other colonies of New-England. Virginia was in a dying ſtate and ſeemed to revive and flouriſh from the example of New-England. I am not preſerving from oblivion the names of heroes whoſe chief merit is the overthrow of cities, provinces and empires, but the names of the founders of a flouriſhing town and colony if not of the whole Britiſh empire in America.

eſcaped with a moderate fine. I would not be underſtood to intend that fornication ſhould paſs with impunity but, certainly, forgery requires a more infamous puniſhment. But this was not all. It was thought by one,* at leaſt, among themſelves, that ſome enormous ſodomitical crimes committed by profligate perſons who had mixed among them were owing to the ſevere penalties annexed to laſcivious acts which, though leſs criminal, were more ſuſpected and more likely to be diſcovered by their conſequences. We do not condemn the laws for reſtraining human paſſions and natural propenſities, but they will ſometimes, like waters cloſe dammed or pent up, ſeek vent and break through with greater violence. They thought the magiſtrates, being God's miniſters, were bound to puniſh all offences in their courts in the ſame proportion as the ſupreme judge would puniſh them in the court of heaven.

They had no ſcruples of their authority by virtue of their combination to inflict corporal puniſhment for leſſer offences. They had been ten years combined before any capital offence was committed. In 1630, John Billington, who had ſlipped in among them when they were at London, not being one of their church, lay in wait for his companion with whom he was offended and wounded him ſo that he died preſently after. They were in doubt of their authority to paſs ſentence of death. They had juſt obtained their patent from the council of Plimouth, which gave all the powers which they had authority to give, but if the council, by their patent, had no authority to inflict capital puniſhment themſelves it might well be enquired how they could give this power to their ſubſtitutes. Their chief reliance, therefore, ſeems to have been upon the voluntary ſubmiſſion of this offender among the reſt to the laws and orders of the whole body. This, from a meer moral conſideration, might induce them to proceed to trial and puniſhment, but as they were within the dominions of Great-Britain and had no conſtitutional authority to erect courts of juſtice ſcruples

* Bradford.

ſcruples of the legality ſtill remained. They therefore applied to their neighbours in the Maſſachuſets and prayed their advice. Mr. Winthrop, having conſulted with "the ableſt gentlemen there," concurred with the opinion at Plimouth, that the man ought to die and "the land be purged from blood." This was founded upon the divine command, "Whoſoever ſheddeth man's blood," &c. which was not in any caſe to be diſpenſed with. Although they were not cloathed with legal authority they obſerved, nevertheleſs, the forms of law, and both grand jury and petty jury were impannelled, and, after indictment, verdict and ſentence, the criminal was executed. I find no ſcruple, afterwards, of as full authority in all caſes whatſoever as any of the charter governments or any government by royal commiſſion, until after the reſtoration of King Charles the ſecond.

Mr. Carver, the firſt governor, died ſuddenly a few months after their arrival. They choſe William Bradford to ſucceed him and Iſaac Allerton his aſſiſtant, but gave this reaſon for chuſing an aſſiſtant, that Mr. Bradford was upon recovery from a fit of ſickneſs and unable to bear the whole burden; however, it ſerved for a precedent and the ſame perſons were annually elected governor and aſſiſtant until 1624 when they added four perſons more for aſſiſtants and gave the governor a double voice, and in 1633 two more, after which they kept to the number of ſeven aſſiſtants until they ſubmitted to king James the ſecond his commiſſion to Andros. In 70 years they had no more than ſix different perſons governors. In popular governments, where the elections are frequent and changes rare, it is, ordinarily, a proof of a ſpirit of virtue and a preſumption ariſes that they have pitched upon perſons well qualified, and, on the contrary, frequent ſhifting from one perſon to another and from one ſet of officers to another, with continual animoſities, contentions and ſtruggles between the two parties, which we have ſeen inſtances of in the colonies, is a proof that this ſpirit is not predominant.

BRADFORD, who ſucceeded Carver, was choſen annually from 1621 until he died in 1657, except in 1633, 1636 and 1644, when Edward Winſlow was choſen and 1634 when Thomas Prince was choſen, who alſo ſucceeded Bradford and was annually elected, until his death in 1673, when Joſias Winſlow ſucceeded and continued until he died in 1680 and was ſucceeded by Thomas Hinkley, who held the place, except in the interruption by Andros, until the junction with the Maſſachuſets in 1692.

I do not find when they firſt choſe a deputy governor or gave an aſſiſtant the name of deputy governor, for I know of no peculiar ſhare of power, but in the latter part of the patent, William Bradford, ſon to the firſt governor, is named deputy governor. The charters of the three New-England charter governments mentioning ſuch an officer probably led them to a conformity. They had no houſe of repreſentatives until the year 1639.* There ſeems to have been no occaſion for one before. Their number was ſmall, the election of governor and aſſiſtants annual; they were to all intents and purpoſes the repreſentatives of the people and, indeed when the colony increaſed, the increaſing the number of aſſiſtants might have anſwered all the purpoſes of chuſing the ſame number with another name. The Maſſachuſets had ſome ſpecial reaſons which Plimouth had not. They were limited by charter to eighteen aſſiſtants. The people were not ſatisfied that the whole powers of government ſhould be in ſo few hands. They could have a remedy in no other way than by creating a diſtinct body of men to ſhare with the governor and aſſiſtants in acts of government. The Maſſachuſets, from the beginning, endeavored to preſerve two diſtinct ranks or

* At the general court held the 4th of June 1639, committees or deputies ſent from each town, 4 from Plimouth, 2 from Duxborough, 2 from Scituate, 2 from Sandwich, 2 from Cohannet (Taunton) 2 from Yarmouth, 2 from Barnſtable. *Colony records.* In June 1649 it was ordered that Plimouth ſhould ſend only 2.

or orders of men, gentry and commonalty.* There was a general diſpoſition to elect the governor, &c. from the former rank; their miniſters preached it as a chriſtian and moral duty. That the commonalty or, as they expreſſed themſelves, the generality might come in for a ſhare, they formed a new body by the name of repreſentatives although their charter knew nothing of it.

WHILST they were few in number ſo that the whole body could aſſemble in one place, the whole were frequently convened to determine upon matters executive as well as legiſlative.† When they were increaſed and were divided into towns remote from the center, this became impracticable. They then ſeem to have followed the model of the Maſſachuſets, the governor and aſſiſtants being the ſupreme judiciary power and ſole in judging high offenees, leſſer offences being cognizable before inferior courts and ſingle magiſtrates and in civil matters appeals alſo lay from inferior juriſdictions to the ſupreme.

I ſhall briefly touch upon their eccleſiaſtical affairs. I ſuppoſe this people were the firſt who took or received the name of Independents which, in a few years after, was the name given to a body of men in England who aſſumed the government there. When they firſt went to Holland they were known by the name of Browniſts. Some of the characteriſticks of Browniſm they afterwards diſclaimed and, at the ſame time, diſclaimed the name, which was generally odious, the character of the founder of the ſect being, at beſt, problematical. Beſides, he renounced his principles and returned to epiſcopacy. The Puritans they could not conform to and, therefore, conſidered themſelves as a diſtinct church or by themſelves independent of all other. Cardinal Bentivoglio

* Vol. I. p. 490.

† At a general court held the 27th of March 1634 it was ordered that all actions either of debt or treſpaſs under 40*ſ.* be tried by the governor and aſſiſtants without the trouble of the whole body. *Colony records.*

makes them a diſtinct ſect in Holland by the name of Puritans, though he was unacquainted with their inducement to leave England and ſuppoſes it commerce and not religion.* The Maſſachuſets people refined and took the name of congregationaliſts, although it will perhaps be difficult, at this day, to ſhew any material difference between the churches of the two colonies, for although Plimouth never eſtabliſhed by act of government the Maſſachuſets platform, yet in practice they ſeem generally to have conformed to it.

WHILST they expected their miniſter from Holland they were without the ſacraments, they had conſtant public worſhip, their pious elder generally praying and preaching, or as they then termed it propheſying, and ſometimes one or other of the brethren beſt gifted or qualified. After their miniſter's death, they made trial of four or five, but ſome were of bad morals, others of principles not approved and others met with better offers, ſo that they had no miniſter ſettled to their ſatisfaction until Mr. John Reyner came among them in the year 1636. The whole colony made but one church until the year 1633, when thoſe brethren who lived on the ſide of the bay oppoſite to the town, where Duxbury now is, broke from the reſt becauſe of the difficulty of travel and became a diſtinct ſociety. Perhaps their being ſo long without a miniſter at firſt, might be the reaſon why they were leſs anxious to be furniſhed with miniſters, immediately upon their ſpreading and forming new towns and ſettlements than their neighbours in Maſſachuſets and Connecticut.

CONSIDERING the rapid increaſe of the Maſſachuſets and Connecticut it may not be amiſs to give the reaſons of the very ſlow growth of Plimouth, for in 13 or 14 years

* I Puritani ancora vi ſon tolerati, che ſono i più puri e i più rigidi Calviniſti, i quali non vogliono riconoſcere autorità alcuna ne' magiſtrati politici ſopra il governo de' loro miniſtri heretici, e ſono quaſi tutti de' Puritani d'Inghilterra, che per occaſion di commercio frequentan l'Ollanda, e le altro Provincie Unite. *Della relatione delle Provincie*, &c.

years the whole colony was not become too numerous for one middling town. They had pitched upon ſome of the pooreſt land in New-England and had frequent thoughts of quitting it. In 1623, their brethren write from Leyden and deſire that ſeeing by God's providence "that place fell to their lot, they would not leave it nor "languiſh after other places though they had diſcovered "more rivers and more fertile places than where they "were" but in 1633, they took poſſeſſion of Connecticut river and built and fortified a houſe for trade, where Hartford now is and, afterwards, when the Maſſachuſets diſpoſſeſſed them they urged, among other reaſons for holding poſſeſſion, that "they lived upon a barren place where they were by neceſſity caſt, and neither they nor theirs could long continue upon the ſame, and why ſhould they be deprived of that which they had provided and intended to remove to aſſoon as they were able.*

* Mr. Bradford among the proceedings of the year 1633 places their poſſeſſion of Connecticut river. "Having had formerly converſe and familiarity with the Dutch, as is before remembered, they ſeeing them ſeated here in a barren quarter told them of a river called by them the freſh river, but now is known by the name of Conighticute river, which they often commended to them for a fine place both for plantation and trade and wiſhed them to make uſe of it, but their hands being full otherwiſe they let it paſs; but, afterwards, there coming a company of baniſhed Indians into theſe parts that were driven out from thence by the potency of the Pequods, they often ſollicited them to go thither and they ſhould have much trade, eſpecially if they would keep a houſe there, and they began to ſend that way for diſcovery and trade with the natives. They found it to be a fine place but no great ſtore of trade, but the Indians excuſed it by reaſon of the fear they were in of their enemies. They tried divers times and not without profit, but ſaw the moſt certainty would be by keeping a houſe there to receive the trade when it came down out of the inland. The Indians, ſeeing they were not very forward to build there, ſollicited them of the Maſſachuſets in like ſort (for their end was to be reſtored to their country again) but they in the bay being lately come were not fit for the ſame, and ſome of their chiefs made a motion to join with the partners here to trade jointly in that river, which

In the next place, the plan they ſet out upon was not to make a great colony in a little time, but to preſerve a pure and diſtinct congregation, they neither deſired

which they were willing to embrace and ſo they would have built and put in equal ſtock together. A time of meeting was appointed at the Maſſachuſets and ſome of the chief here were appointed to treat with them and went accordingly, but they caſt many fears of danger and loſs and the like, which were perceived to be the main obſtacles, though they were not provided of trading goods, but thoſe here offered to put in ſufficient for both, provided they would become engaged for the half and prepare againſt the next year. They confeſſed more could not be offered, but thanked them and told them they had no mind to it. They then ſaid they hoped it would be no offence if they went on without them. They ſaid there was no reaſon they ſhould, and thus the treaty broke off. Thoſe here took convenient time to make a beginning there, and were the firſt Engliſh who both diſcovered that place and built in the ſame. But the Dutch began now to repent, and hearing of their purpoſe and preparation endeavored to prevent them, and got in a little before them, and made a ſlight fort, and planted two pieces of ordnance, threatning to ſtop their paſſage; but they having made a ſmall frame of a houſe ready, having a great new bark they ſtowed their frame in her hold and boards to cover and finiſh it, having nails, &c. fitting for their uſe, this they did the rather that they might have a preſent defence againſt the Indians, who were much offended that they brought home and reſtored the right ſachem of that place, called Natuwannute; ſo that they were to encounter with a double danger in this attempt, both the Dutch and the Indians. When they came up the river, the Dutch demanded what they intended and whither they would go, they anſwered up the river to trade, now their order was to go and ſeat above them; they bid them ſtrike and ſtay or elſe they would ſhoot them and ſtood by their ordnance ready fitted. They anſwered they had commiſſion from the governor of Plimouth to go up the river to ſuch a place and if they did ſhoot they muſt obey their order and proceed, they would not moleſt them but would go on. So they paſſed along and though the Dutch threatned them hard yet they ſhot not. Coming to their place they clapped up their houſe quickly and landed their proviſions and left the company appointed and ſent the bark home, and afterwards palliſadoed their houſe about and fortified themſelves better. They did the Dutch no wrong, for they took

not

deſired any people of a different perſuaſion to mix with them nor did any ſuch incline to go among them. When one of their number was hanged ten years after the ſettlement began it was remarked that he had been a profane perſon and guilty of other miſcarriages before that for which he ſuffered and that by means of ſome of his friends in London he had been ſhuffled in among them. If all in England, who called themſelves Browniſts and Independents, at that day, had come over with them they would ſcarcely have made one conſiderable town. Indeed, a few years after, moſt of thoſe who had before been called Puritans, were willing enough to own the ſame principles with them, though they did not like the name.

not a foot of any land they bought, but went to the place above them and bought that tract of land which belonged to thoſe Indians which they carried with them and their friends, with whom the Dutch had nothing to do." *Bradford MS.*

I cannot let this extract paſs without an obſervation relative to the Maſſachuſets. In the controverſy between New-York and the two governments of Maſſachuſets and Connecticut, the charters to which give them a territory weſt to the S. ſea, except ſuch parts as were poſſeſſed by any prince or ſtate, the government of New-York claims to Connecticut river becauſe the Dutch were in poſſeſſion and it was part of the exception and therefore the grant of it afterwards to the Duke of York was good. This manuſcript of Bradford is the moſt ancient memorial relative to this part of the country which is now extant and it appears from it that until divers years after the date of the Maſſachuſets charter the Dutch had no ſort of poſſeſſion in the freſh or Connecticut river nor any intention of ſettling there, but encouraged the people of New-Plimouth, with whom they had begun a correſpondence and trade, to quit their ſettlement and remove thither and thereupon the Plimotheans, ſeveral times before the year 1633, went up the river and had began a trade there; but the Dutch, probably alarmed by the formidable appearance of the Maſſachuſets colony, then repented of the advice they had given, purchaſed a tract in the lower part of the river and would have prevented the Engliſh from paſſing but failed in the attempt, and they were, ſoon after, obliged to quit the river themſelves and, in 1650, formally relinquiſhed all claim or pretence to juriſdiction there.

We may add one cauſe more, viz. that their views when they left England, were rather to eſtabliſh a factory than a colony. They had no notion of cultivating any more ground than would afford their own neceſſary proviſions, but propoſed that their chief ſecular employment ſhould be commerce with the natives, and they entered into contract with a company of 20 or more merchants and others, many of them belonging to Briſtol, who were to furniſh them with goods, and at the end of ſeven years the profits were to be divided equally between the merchants in England and the coloniſts, all the houſes and improved land to be valued in the joint ſtock. This laſt circumſtance was a ſufficient bar to any extraordinary improvement of the lands. Here I cannot help remarking that they had a fine opportunity of making fortunes, having few or no rivals, and the Indians were charmed with European goods, as well to adorn as to cloath themſelves, and goods ſold at great advance and the furrs came cheap, but a variety of misfortunes and loſſes by ſea for ſeveral years together kept the balance againſt them. They were but little acquainted with trade and, perhaps, our forefathers were not ſo worldly minded as their poſterity have ſince been. At firſt they made every man a partner. Every man's perſon was valued at ten pounds intereſt in the ſtock, and his whole time was to be employed for the common benefit. He that had £.90 in the general ſtock, with the addition of £.10 for his perſon, was to ſhare ten times as much as he who had no ſubſtance at all. This was a hard bargain for the poor, and I ſhould not wonder if perſons who could bring no money to put in the ſtock were diſcouraged from ſettling among them. After the expiration of the ſeven years, and a ſettlement with their partners in England, the principal perſons were obliged to become bound for the balance which remained in the hands of the colony or factory, and from that time took the trade into their own hands, excluſive of the poorer ſort, who had ſpent ſeven years in labour and toil, and had received ſubſiſtance only, and that oftentimes ſcant enough.

They

THEY had for eight or ten years almoſt the whole ſupply of the Indians who were near neighbours to them, but their greateſt expectations were from the eaſtern Indians, and they ſet up a truck houſe at Penobſcot and another upon Kennebeck river. The latter they found moſt advantageous and ſought for a grant of a convenient tract from the council of Plimouth which they obtained in the year 1628, but it was "ſo ſtrait and ill bounded" that the next year, 1629, when a grant was made of the lands intended for the whole colony, the tract of country at Kennebeck was granted anew, and the limits enlarged. They met with ſome oppoſition in 1634 from perſons employed by Lord Say and Lord Brook who claimed a right of trading at the ſame place with the Plimouth people, I ſuppoſe by a grant from Gorges, and a fray happened in which one was killed on each ſide. Lord Say's company were Puritans and thoſe of Plimouth Independents. The enemies of both reproached both for making religion the profeſſed motive to colonizing and ſo ſoon after killing one another for the ſake of beaver.* This grant upon Kennebeck, within twelve or fifteen years paſt, from a different conſtruction of the words which deſcribe the limits, has been the cauſe of great contention. Perhaps the relation of this action by governor Bradford may afford ſome light in the controverſy. I ſhall therefore cauſe it to be inſerted in the margin exactly as I find the words and points in his manuſcript.†

FOR

* *Nollem vi et cæde pro evangelio certari.* LUTH.

† "I am now to enter upon one of the ſaddeſt things that befell them ſince they come. But before I begin it will be needful to premiſe ſuch parte of their patente as gives them right and priviledge at Kenebeck. As followeth. The ſaid counſell hath further given, granted, bargained, ſold, infeoffed, allotted, aſſigned and ſet over, and by theſe preſents, doe clearly and abſolutely give, grante, bargane, ſell, alliene, enffeoſe, allote, aſſigne and confirme unto the ſaid William Bradford, his heires, aſſociates, and aſſignes, All that tracte of land or part of New-England in America aforeſaid, which lyeth within or betweene

For two or three years after their arrival all things were in common, no man having any property but what was put into the common ſtock and every perſon furniſhed with cloathing and proviſions out of this ſtock. A certain

betweene, and extendeth it ſelfe, from the utmoſt limits of Cobiſeconte which adjoyneth to the river of Kenebeck, towards the weſterne ocean, and a place called the falls of Nequamkick in America aforeſaid, And the ſpace of 15 Engliſh myles, on each ſide of the ſaid river, commonly called Kenebeck river, and all the ſaid river called Kenebeck, that lyeth within the ſaid limits and bounds eaſtward, weſtward, northward and ſouthward, laſt above mentioned; and all lands, grounds, ſoyles, rivers, waters, fiſhing, &c. And by vertue of the authority to us derived by his ſaid late Ma^tis L'res patents to take, apprehend, ſeiſe, and make priſe of all ſuch perſons their ſhips and goods, as ſhall attempte to inhabite, or trade, with the ſavage people of that countrie within the ſeverall preſincts, and limits of his, and their ſeverall plantations, &c.

Now it ſo fell out that one Hocking, belonging to the plantation of Piſcataway, wente with a barke, and comodities to trade in that river, and would needs preſs into their limits, and not only ſo but would needs goe up the river above their houſe (towards the falls of the river) and intereept the trade that ſhould come to them. He that was cheefe of the place forbad them, and prayed him that he would not offer them that injurie, nor goe about to infringe their liberties, (which had coſt them ſo dear) but he anſwered he would go up and trade there in diſpite of them, and lye there as longe as he pleaſed; the other told him he muſt then be forced to remove him from thence, or make ſeaſure of him if he could. he bid him do his worſte, and ſo wente up and anchored there. The other took a boat, and ſome men, and went up to him, when he ſaw his time, and againe entreated him to departe, by what perſuaſion he could. But all in vaine, he could get nothing of him but ill words. So he conſidered that now was the ſeaſon for the trade to come downe, and if he ſhould ſuffer him to lye, and take it from them, all their former charge would be loſt, and they had better throw up all. So conſulting with his men, (who were willing therefor) he reſolved to put him from his anchores, and let him drive downe the river with the ſtreame; but commanded the men that none ſhould ſhoote a ſhote upon any occaſion except he commanded them. He ſpoake to him againe but all in vaine, then he ſent a cuple in a canow to cutte his cable, the which one of them performes, but Hocking takes

up

certain quantity of land in the beginning of the year was aſſigned for planting, and every man had ſuch a proportion of the labour aſſigned him. Mr. Bradford remarks, upon this occaſion, that the ill ſucceſs of this community of goods even among godly and ſober men fully evinced the vanity of that conceit of Plato, that the taking away property and bringing in community into a common wealth would make them happy and flouriſhing, and in fact they raiſed ſo little proviſions that once, at leaſt, they were in danger of ſtarving, and before their crops were fully ripe, great part would be ſtolen out of the fields to ſatisfy hungry bellies, and ſevere whipping of the offenders would not deter others in the like circumſtances from committing the like offence, beſides, it occaſioned conſtant diſcontent and murmuring, the young men, moſt capable of labour, who had no families, thought much of labouring for other men's wives and children, thoſe in their full ſtrength complained that it was unjuſt to allow them no more in the diviſion of victuals and cloathing than them who were weak and could not do a quarter part of the labour; the aged and grave men thought it an indignity and diſreſpect to be upon a level, as in labour ſo in victuals and cloaths, with the younger, and in other reſpects inferior ſort. Huſbands could not brook it that their wives ſhould be commanded to do menial

up a pece which he had layded ready, and as the barke ſhered by the canow he ſhot him cloſe under her ſide, in the head (as I take it) ſo he fell downe dead inſtantly. One of his fellows (which loved him well) could not hold, but with a muſket ſhot Hocking, who fell downe dead and never ſpoake word; this was the truth of the thing; the reſt of the men carried home the veſſel and the ſad tidings of theſe things. Now the Lord Saye and the Lord Brooke with ſome other great perſons had a hand in this plantation; they write home to them, as much as they could to exaſperate them in the matter; leaving out all the circumſtances, as if he had been killed without any offence of his parte, conceling that he had killed another firſt, and the juſt occaſion that he had given in offering ſuch wrong; at which their Lordſ.ps were much offended till they were truly informed of the matter." *Bradford's MS.*

menial ſervices, dreſſing meat, waſhing cloaths, &c. for other men; all being to do and all to receive alike, it was inferred that in all other reſpects they ought to be alike, and one man was to all intents and purpoſes as good as another, and no ſubordination no civil diſtinction could be preſerved. After three years, they found it abſolutely neceſſary to come into ſome new meaſures and began with aſſigning to each family a certain quantity of land ſufficient to raiſe corn enough for their ſupport, but in all other reſpects to continue in the general way until the ſeven years for which they had contracted with their partners in England for the profits of their labour were expired. There was immediately a new face upon their affairs, much more corn was planted than the governor, by the exertion of all his authority, could ever cauſe them to plant in any year before, women and children, who were weak and unable before, went chearfully with their huſbands and parents to plant corn, and every family had enough for their ſupport, and many of them ſome to ſpare. An emulation was created and increaſed every year to exceed in quantity, and in a few years they were able to raiſe ſufficient to make it a valuable article in their Indian trade, being then worth ſix ſhillings ſterling a buſhel; the Indians in a great meaſure left off raiſing it, the hunting life being more agreeable to them, when they found with their furrs they could purchaſe what they wanted.

THE colony had ſtruggled for ſeven or eight years, and had made but ſmall improvements in cultivating the ground, and were not numerous enough to think of dividing and extending to the inland parts of the country when Mr. Endicot arrived at Salem to prepare the way for the grand undertaking of ſettling the Maſſachuſets. This muſt have given freſh ſpirits to the Plimotheans. Without this, I think, there is great reaſon to queſtion whether the plantation would not in a few years have been deſerted and the ſettlers have removed to ſome more fertile part of America or, which is more probable,

have

have returned to England where, from the change of times, they might have enjoyed civil and religious liberty, for the ſake of which they firſt quitted it, in as great a latitude as their hearts could wiſh.

In a ſmall colony it cannot be expected that we ſhould meet with many events of moment after they had grappled with the hardſhips which attended their firſt ſettlement. Mr. Bradford remarks, that the Spaniards were thought by Peter Martyr to have ſuffered hardſhips which none but a Spaniard could endure, when they were obliged to live for five days together upon the parched grain of maize only, and that not to ſaturitie, whereas the Plimotheans the firſt two or three years thought a meal of their maize as good as a feaſt and, ſometimes, not for five days only, but for two or three months together, were deſtitute of that and all other corn or bread of any kind, but with their miſeries, he ſays, they opened a way to theſe new lands, for other men to come afterwards with eaſe and inhabit them. The 4th year after their arrival, they were threatned with the total deſtruction of their crop, and abſolute famine. From about the middle of May to the middle of July, they had not one ſhower of rain, and the extreme heat of the ſun upon their ſandy ſoil had ſo dried up their corn, that they were almoſt in deſpair of its ever being reſtored, but in the evening after a day of faſting and prayer, it began to rain and, by repeated ſhowers, their corn recovered its verdure and they had a plentiful harveſt. They afterwards found by experience that ſuch droughts are frequent in this climate, but the infinitely wiſe and good creator has ſo ordered the ſeaſons, that theſe droughts have always been followed, before the end of the ſummer, with refreſhing rains, and although the fruits of the earth have been much diminiſhed, yet harveſt hath never failed, men and beaſts have been ſupported and, ordinarily, in the next ſucceeding year, there has been a remarkable plenty.

THE terrot which fire arms ſtruck into the Indians, prevented them from deſtroying this ſmall company. There were not above ſeven men capable of bearing arms in the time of ſickneſs the firſt winter. Soon after, the potent nation of Naraganſet ſent to the Engliſh a bundle of arrows tied with a ſnake's ſkin as a defiance and denunciation of war. The Engliſh filled the ſkin with bullets, and ſent it back with this anſwer, that they had done them no wrong, did not fear them and were provided for them, come when they would. The Naraganſets would not ſuffer the bullets to come near them, and they were moved about from place to place, till they found their way back to the Engliſh again, and the Indians remained quiet. As the Indians learned the uſe of fire arms, the Engliſh increaſed in number, and until the year 1675 there was no open rupture, except the ſhort offenſive war with the Pequots in their own country which ended in their deſtruction.

HOWEVER rigid the New-Plimouth coloniſts may have been at their firſt ſeperation from the church of England, yet they never diſcovered that perſecuting ſpirit which we have ſeen in the Maſſachuſets. When Mrs. Hutchinſon and her adherents were baniſhed from that colony, they applied to the colony of Plimouth, for leave to ſettle upon Aquidnick or Rhode-Iſland, which was then acknowledged to be within Plimouth patent, and it was readily granted, although their tenets were no more approved by Plimouth than by the Maſſachuſets. Some of the Quakers alſo fled to Plimouth bounds, and probably ſaved their lives, for although they made laws ſevere enough againſt erroneous opinions, yet in no caſe capital, and the baptiſts were ſtill more favorably received, the town of Swanzey being principally ſettled by baptiſt refugees from the Maſſachuſets colony, and when one of their miniſters ſettled in the church of Plimouth, they were content that he ſhould baptize by immerſion or dipping any who deſired it, provided he took no exception to the other miniſter's ſprinkling ſuch for whom immerſion was not judged neceſſary.

UNTIL

UNTIL 1629, they were in doubt about their title to their lands. They were conſtantly ſolliciting a grant or, as they term it, an aſſurance from the council of Plimouth. In 1624, they employed one John Pierce, who procured a grant to himſelf for about fifty pounds, but he kept it in his own hands, and refuſed to aſſign it for leſs than five hundred pounds. This they juſtly complained of as a great breach of truſt, and attribute to it ſeveral loſſes and diſappointments he met with in his intended voyage, which frightened him and made him alſo look upon them as the puniſhment of his perfidy and to relinquiſh his claim. I do not find that thoſe who employed him reaped any benefit from the grant. After they had their patent in 1629, they were eaſy until the reſtoration, but when Connecticut and Rhode Iſland who held their lands, or moſt of them, under patents from the council of Plimouth, thought it neceſſary to ſollicit and had obtained a royal confirmation and charter, giving authority to govern, New-Plimouth ſollicited alſo, but they were rather too late. The court began to be jealous of the coloniſts. Such ſort of charters as had been granted left them, it was ſaid, too much to themſelves, and although they were not peremptorily refuſed, they were put off from time to time, and told that the only difficulty was to ſettle ſuch a form of government as ſhould ſecure their dependence as a colony, and ſhould nevertheleſs afford to them liberties and privileges to their ſatisfaction.

THIS was no eaſy matter for both ſides to agree upon. This ſtate of ſuſpenſe made the colony more pliable and obſequious than their neighbours of Maſſachuſets, and particularly, when the commiſſioners from king Charles came to New-England in 1664, Plimouth ſubmitted to their determination a controverſy between that colony and Rhode-Iſland about bounds, and gave ſatisfactory anſwers to the ſeveral queries propoſed to them.* They received a very gracious letter from the king, but all ended

* Vol. I. p. 233.

ended in *bona verba.* We can eaſily conceive of a parent ſtate growing every day more and more popular in its government, and nevertheleſs at the ſame time reſtraining the liberties of its colonies for the ſake of continuing the connexion, but when there is a ſcheme of eſtabliſhing abſolute power in the parent ſtate how can it be expected that popular governments ſhould be eſtabliſhed in the colonies? However, no advantage was ever taken of their want of authority, and their proceedings were connived at until the general ſhipwreck of charters in 1684, when an arbitrary government was eſtabliſhed in the other colonies, and they could not expect to eſcape. All their hopes being at an end, they made as loud complaints of oppreſſion, under Andros, as any people of his government, and perhaps with as much reaſon, and when the Maſſachuſets impriſoned him and re-aſſumed their charter, Plimouth aſſumed their old form of government alſo. Now it was that they firſt ſenſibly found the want of a charter. Connecticut and Rhode Iſland, who had reſigned their charters, were juſtified, by the example of the corporations in England, in aſſuming them again, but Plimouth had none to aſſume. Their firſt attempt was to procure a charter and to continue a diſtinct government. In this they could not ſucceed. Perhaps, if it had been ſollicited in the beſt manner, they might have ſucceeded, but interior diviſions prevented any proper meaſures being purſued. Mr. Hinkley, their governor, wrote to Mr. Mather, the Maſſachuſets agent, to deſire him to ſollicit in their behalf, but the people refuſed to advance any money, and ſo ſmall a ſum as two hundred pounds ſterling could not be raiſed. The inhabitants of ſome of the principal towns ſubſcribed, upon condition the whole ſum ſhould be raiſed, and ſome of the towns refuſing, the whole ſubſcription failed. Such was the effect of their diviſions that neither party would acknowledge the authority of the government when any act paſſed which they did not approve of. Mr. Wiſwall, one of their miniſters, by

advice

advice of ſome gentlemen in Boſton, went to England, but having no commiſſion and, which is more fatal to thoſe who have affairs at court, no money, he never could make a public appearance, and ſerved only to give offence to the miniſtry by offering exceptions to the propoſal of joining Plimouth to the Maſſachuſets and occaſioned their being annexed to New-York. It is ſaid they were taken out of Slaughter's commiſſion by Mr. Mather's intereſt. Slaughter arrived at New-York the year before Phips arrived in the Maſſachuſets and ſent his orders, copy of which I have ſeen, to Little Compton, in Plimouth colony, in terms as high and authoritative as if he had been their governor or depended upon being ſuch, ſo thar their junction with New-York ſeemed rather ſuſpended than ſuperſeded until they were actually included in the Maſſachuſets.

We certainly are not in a proper temper when, becauſe we cannot obtain all which we think of right belongs to us, we are indifferent whether we retain any part of it. I dare ſay there is not a man in the colony of Plimouth, at this day, who does not think it a moſt happy circumſtance that they were annexed to Maſſachuſets rather than to New-York. And although, at firſt, there might be jealouſies of unequal diſtinctions, upon ſome occaſions, in favour of the Maſſachuſets, yet they have long ſince been at an end and, the cuſtoms, manners and religious opinions of the two colonies being much the ſame, they mutually conſider themſelves as having one joint general intereſt as fully in all reſpects as if they had been one colony from the beginning,

NUMBER II.

November 1637.

The Examination of Mrs. Ann Hutchinſon at the court at Newtown.

Mr. Winthrop governor. } MRS. Hutchinſon, you are called here as one of thoſe that have troubled the peace of the commonwealth and the churches here; you are known to be a woman that hath had a great ſhare in the promoting and divulging of thoſe opinions that are cauſes of this trouble, and to be nearly joined not only in affinity and affection with ſome of thoſe the court hath taken notice of and paſſed cenſure upon, but you have ſpoken divers things as we have been informed very prejudicial to the honour of the churches and miniſters thereof, and you have maintained a meeting and an aſſembly in your houſe that hath been condemned by the general aſſembly as a thing not tolerable nor comely in the ſight of God nor fitting for your ſex, and notwithſtanding that was cried down you have continued the ſame, therefore we have thought good to ſend for you to underſtand how things are, that if you be in an erroneous way we may reduce you that ſo you may become a profitable member here among us, otherwiſe if you be obſtinate in your courſe that then the court may take ſuch courſe that you may trouble us no further, therefore I would intreat yon to expreſs whether you do not hold and aſſent in practice to thoſe opinions and factions that have been handled in court already, that is to ſay, whether you do not juſtify Mr. Wheelwright's ſermon and the petition.

Mrs. Hutchinſon. } I am called here to anſwer before you but I hear no things laid to my charge.

Gov.

Gov. I have told you ſome already and more I can tell you. (Mrs. H.) Name one Sir.

Gov. Have I not named ſome already?

Mrs. H. What have I ſaid or done?

Gov. Why for your doings, this you did harbour and countenance thoſe that are parties in this faction that you have heard of. (Mrs.H.) That's matter of conſcience, Sir.

Gov. Your conſcience you muſt keep or it muſt be kept for you.

Mrs. H. Muſt not I then entertain the ſaints becauſe I muſt keep my conſcience.

Gov. Say that one brother ſhould commit felony or treaſon and come to his other brother's houſe, if he knows him guilty and conceals him he is guilty of the ſame. It is his conſcience to entertain him, but if his conſcience comes into act in giving countenance and entertainment to him that hath broken the law he is guilty too. So if you do countenance thoſe that are tranſgreſſors of the law you are in the ſame fact.

Mrs. H. What law do they tranſgreſs?

Gov. The law of God and of the ſtate.

Mrs. H. In what particular?

Gov. Why in this among the reſt, whereas the Lord doth ſay honour thy father and thy mother.

Mrs. H. Ey Sir in the Lord. (Gov.) This honour you have broke in giving countenance to them.

Mrs. H. In entertaining thoſe did I entertain them againſt any act (for there is the thing) or what God hath appointed?

Gov. You knew that Mr. Wheelwright did preach this ſermon and thoſe that countenance him in this do break a law.

Mrs. H. What law have I broken?

Gov. Why the fifth commandment.

Mrs. H. I deny that for he ſaith in the Lord.

Gov. You have joined with them in the faction.

Mrs. H. In what faction have I joined with them?

Gov. In preſenting the petition.

Mrs. H. Suppoſe I had ſet my hand to the petition what then? (Gov.) You ſaw that caſe tried before.

Mrs. H. But I had not my hand to the petition.

Gov. You have councelled them. (Mrs.H.) Wherein?

Gov. Why in entertaining them.

Mrs. H. What breach of law is that Sir?

Gov. Why diſhonouring of parents.

Mrs. H. But put the caſe Sir that I do fear the Lord and my parents, may not I entertain them that fear the Lord becauſe my parents will not give me leave?

Gov. If they be the fathers of the commonwealth, and they of another religion, if you entertain them then you diſhonour your parents and are juſtly puniſhable.

Mrs. H. If I entertain them, as they have diſhonoured their parents I do.

Gov. No but you by countenancing them above others put honor upon them.

Mrs. H. I may put honor upon them as the children of God and as they do honor the Lord.

Gov. We do not mean to diſcourſe with thoſe of your ſex but only this; you do adhere unto them and do endeavour to ſet forward this faction and ſo you do diſhonour us.

Mrs. H. I do acknowledge no ſuch thing neither do I think that I ever put any diſhonour upon you.

Gov. Why do you keep ſuch a meeting at your houſe as you do every week upon a ſet day?

Mrs. H. It is lawful for me ſo to do, as it is all your practices and can you find a warrant for yourſelf and condemn me for the ſame thing? The ground of my taking it up was, when I firſt came to this land becauſe I did not go to ſuch meetings as thoſe were, it was preſently reported that I did not allow of ſuch meetings but held them unlawful and therefore in that regard they ſaid I was proud and did deſpiſe all ordinances, upon that a friend came unto me and told me of it and I to prevent ſuch aſperſions took it up, but it was in practice before I came therefore I was not the firſt.

Gov.

Gov. For this, that you appeal to our practice you need no confutation. If your meeting had anſwered to the former it had not been offenſive, but I will ſay that there was no meeting of women alone, but your meeting is of another ſort for there are ſometimes men among you.

Mrs. H. There was never any man with us.

Gov. Well, admit there was no man at your meeting and that you was ſorry for it, there is no warrant for your doings, and by what warrant do you continue ſuch a courſe?

Mrs. H. I conceive there lyes a clear rule in Titus, that the elder women ſhould inſtruct the younger and then I muſt have a time wherein I muſt do it.

Gov. All this I grant you, I grant you a time for it, but what is this to the purpoſe that you Mrs. Hutchinſon muſt call a company together from their callings to come to be taught of you?

Mrs. H. Will it pleaſe you to anſwer me this and to give me a rule for then I will willingly ſubmit to any truth. If any come to my houſe to be inſtructed in the ways of God what rule have I to put them away?

Gov. But ſuppoſe that a hundred men come unto you to be inſtructed will you forbear to inſtruct them?

Mrs. H. As far as I conceive I croſs a rule in it.

Gov. Very well and do you not ſo here?

Mrs. H. No Sir for my ground is they are men.

Gov. Men and women all is one for that, but ſuppoſe that a man ſhould come and ſay Mrs. Hutchinſon I hear that you are are a woman that God hath given his grace unto and you have knowledge in the word of God I pray inſtruct me a little, ought you not to inſtruct this man?

Mrs. H. I think I may.——Do you think it not lawful for me to teach women and why do you call me to teach the court?

Gov. We do not call you to teach the court but to lay open yourſelf.

Mrs. H. I deſire you that you would then ſet me down a rule by which I may put them away that come unto me and ſo have peace in ſo doing.

Gov. You muſt ſhew your rule to receive them.

Mrs. H. I have done it.

Gov. I deny it becauſe I have brought more arguments than you have.

Mrs. H. I ſay, to me it is a rule.

Mr. Endicot. You ſay there are ſome rules unto you. I think there is a contradiction in your own words. What rule for your practice do you bring, only a cuſtom in Boſton.

Mrs. H. No Sir that was no rule to me but if you look upon the rule in Titus it is a rule to me. If you convince me that it is no rule I ſhall yield.

Gov. You know that there is no rule that croſſes another, but this rule croſſes that in the Corinthians. But you muſt take it in this ſenſe that elder women muſt inſtruct the younger about their buſineſs and to love their huſbands and not make them to claſh.

Mrs. H. I do not conceive but that it is meant for ſome publick times.

Gov. Well, have you no more to ſay but this?

Mrs. H. I have ſaid ſufficient for my practice.

Gov. Your courſe is not to be ſuffered for, beſides that we find ſuch a courſe as this to be greatly prejudicial to the ſtate, beſides the occaſion that it is to ſeduce many honeſt perſons that are called to thoſe meetings and your opinions being known to be different from the word of God may ſeduce many ſimple ſouls that reſort unto you, beſides that the occaſion which hath come of late hath come from none but ſuch as have frequented your meetings, ſo that now they are flown off from magiſtrates and miniſters and this ſince they have come to you, and beſides that it will not well ſtand with the commonwealth that families ſhould be neglected for ſo many neighbours and dames and ſo much time ſpent, we ſee no rule of God for this, we ſee not that any ſhould have authority to ſet up any other exerciſes beſides what authority hath already ſet up and ſo what hurt comes of this you will be guilty of and we for ſuffering you.

Mrs. H.

Mrs. H. Sir I do not believe that to be ſo.

Gov. Well, we ſee how it is we muſt therefore put it away from you or reſtrain you from maintaining this courſe.

Mrs. H. If you have a rule for it from God's word you may.

Gov. We are your judges, and not you ours and we muſt compel you to it.

Mrs. H. If it pleaſe you by authority to put it down I will freely let you for I am ſubject to your authority.

Mr. Bradſtreet.* I would aſk this queſtion of Mrs. Hutchinſon, whether you do think this is lawful? for then this will follow that all other women that do not are in a ſin.

Mrs. H. I conceive this is a free will offering.

Bradſt. If it be a free will offering you ought to forbear it becauſe it gives offence.

Mrs. H. Sir, in regard of myſelf I could, but for others I do not yet ſee light but ſhall further conſider of it.

Bradſt. I am not againſt all women's meetings but do think them to be lawful.

Mr. Dudley, dep. gov. } Here hath been much ſpoken concerning Mrs. Hutchinſon's meetings and among other anſwers ſhe ſaith that men come not there, I would aſk you this one queſtion then, whether never any man was at your meeting?

Gov. There are two meetings kept at their houſe.

Dep. gov. How; is there two meetings?

Mrs. H. Ey Sir, I ſhall not equivocate, there is a meeting of men and women and there is a meeting only for women.

Dep. gov. Are they both conſtant?

Mrs. H. No, but upon occaſions they are deferred.

Mr. Endicot. † Who teaches in the men's meetings none but men, do not women ſometimes?

Mrs. H. Never as I heard, not one.

Dep. gov. I would go a little higher with Mrs. Hutchinſon. About three years ago we were all in

* One of the aſſiſtants. † One of the aſſiſtants.

peace. Mrs. Hutchinſon from that time ſhe came hath made a diſturbance, and ſome that came over with her in the ſhip did inform me what ſhe was as ſoon as ſhe was landed. I being then in place dealt with the paſtor and teacher of Boſton and deſired them to enquire of her, and then I was ſatisfied that ſhe held nothing different from us, but within half a year after, ſhe had vented divers of her ſtrange opinions and had made parties in the country, and at length it comes that Mr. Cotton and Mr. Vane were of her judgment, but Mr. Cotton hath cleared himſelf that he was not of that mind, but now it appears by this woman's meeting that Mrs. Hutchinſon hath ſo foreſtalled the minds of many by their reſort to her meeting that now ſhe hath a potent party in the country. Now if all theſe things have endangered us as from that foundation and if ſhe in particular hath diſparaged all our miniſters in the land that they have preached a covenant of works, and only Mr. Cotton a covenant of grace, why this is not to be ſuffered, and therefore being driven to the foundation and it being found that Mrs. Hutchinſon is ſhe that hath depraved all the miniſters and hath been the cauſe of what is fallen out, why we muſt take away the foundation and the building will fall.

Mrs. H. I pray Sir prove it that I ſaid they preached nothing but a covenant of works.

Dep. Gov. Nothing but a covenant of works, why a Jeſuit may preach truth ſometimes.

Mrs. H. Did I ever ſay they preached a covenant of works then?

Dep. Gov. If they do not preach a covenant of grace clearly, then they preach a covenant of works.

Mrs. H. No Sir, one may preach a covenant of grace more clearly than another, ſo I ſaid.

D. Gov. We are not upon that now but upon poſition,

Mrs. H. Prove this then Sir that you ſay I ſaid.

D. Gov. When they do preach a covenant of works do they preach truth?

Mr. H. Yes

Mrs. H. Yes Sir, but when they preach a covenant of works for ſalvation, that is not truth.

D. Gov. I do but aſk you this, when the miniſters do preach a covenant of works do they preach a way of ſalvation?

Mrs. H. I did not come hither to anſwer to queſtions of that ſort.

D. Gov. Becauſe you will deny the thing.

Mrs. H. Ey, but that is to be proved firſt.

D. Gov. I will make it plain that you did ſay that the miniſters did preach a covenant of works.

Mrs. H. I deny that.

D. Gov. And that you ſaid they were not able miniſters of the new teſtament, but Mr. Cotton only.

Mrs. H. If ever I ſpake that I proved it by God's word.

Court. Very well, very well.

Mrs. H. If one ſhall come unto me in private, and deſire me ſeriouſly to tell them what I thought of ſuch an one. I muſt either ſpeak falſe or true in my anſwer.

D. Gov. Likewiſe I will prove this that you ſaid the goſpel in the letter and words holds forth nothing but a covenant of works and that all that do not hold as you do are in a covenant of works.

Mrs. H. I deny this for if I ſhould ſo ſay I ſhould ſpeak againſt my own judgment.

Mr. Endicot. I deſire to ſpeak ſeeing Mrs. Hutchinſon ſeems to lay ſomething againſt them that are to witneſs againſt her.

Gover. Only I would add this. It is well diſcerned to the court that Mrs. Hutchinſon can tell when to ſpeak and when to hold her tongue. Upon the anſwering of a queſtion which we deſire her to tell her thoughts of ſhe deſires to be pardoned.

Mrs. H. It is one thing for me to come before a public magiſtracy and there to ſpeak what they would have me to ſpeak and another when a man comes to me in a way of friendſhip privately there is difference in that.

Gov. What if the matter be all one?

Mr.

Mr. Hugh Peters.* } That which concerns us to ſpeak unto as yet we are ſparing in unleſs the court command us to ſpeak, then we ſhall anſwer to Mrs. Hutchinſon notwithſtanding our brethren are very unwilling to anſwer.

Govern. This ſpeech was not ſpoken in a corner but in a public aſſembly, and though things were ſpoken in private yet now coming to us, we are to deal with them as public.

Mr. Peters. We ſhall give you a fair account of what was ſaid and deſire that we may not be thought to come as informers againſt the gentlewoman, but as it may be ſerviceable for the country and our poſterity to give you a brief account. This gentlewoman went under ſuſpicion not only from her landing, that ſhe was a woman not only difficult in her opinions, but alſo of an intemperate ſpirit. What was done at her landing I do not well remember, but aſſoon as Mr. Vane and our ſelves came this controverſy began yet it did reflect upon Mrs. Hutchinſon and ſome of our brethren had dealt with her, and it ſo fell out that ſome of our miniſtry doth ſuffer as if it were not according to the goſpel and as if we taught a covenant of works inſtead of a covenant of grace. Upon theſe and the like we did addreſs ourſelves to the teacher of that church, and the court then aſſembled being ſenſible of theſe things, and this gentlewoman being as we underſtood a chief agent, our deſire to the teacher was to tell us wherein the difference lay between him and us, for the ſpring did then ariſe as we did conceive from this gentlewoman, and ſo we told him. He ſaid that he thought it not according to God to commend this to the magiſtrates but to take ſome other courſe, and ſo going on in the diſcourſe we thought it good to ſend for this gentlewoman, and ſhe willingly came, and at the very firſt we gave her notice that ſuch reports there were that ſhe did conceive our miniſtry to be different from the miniſtry of the goſpel, and that we taught

* Miniſter of Salem, afterwards famous in England.

taught a covenant of works, &c. and this was her table talk and therefore we desired her to clear herself and deal plainly. She was very tender at the first. Some of our brethren did desire to put this upon proof, and then her words upon that were. The fear of man is a snare why should I be afraid. These were her words. I did then take upon me to ask her this question. What difference do you conceive to be between your teacher and us? She did not request us that we should preserve her from danger or that we should be silent. Briefly, she told me there was a wide and a broad difference between our brother Mr. Cotton and our selves. I desired to know the difference. She answered that he preaches the covenant of grace and you the covenant of works, and that you are not able ministers of the new testament and know no more than the apostles did before the resurrection of Christ. I did then put it to her, What do you conceive of such a brother? She answered he had not the seal of the spirit. And other things we asked her but generally the frame of her course was this, that she did conceive that we were not able ministers of the gospel. And that day being past our brother Cotton was sorry that she should lay us under a covenant of works, and could have wished she had not done so. The elders being there present we did charge them with her, and the teacher of the place said they would speak further with her, and after some time she answered that we were gone as far as the apostles were before Christ's ascension. And since that we have gone with tears some of us to her.

Mrs. H. If our pastor would shew his writings you should see what I said, and that many things are not so as is reported.

Mr. Wilson.* Sister Hutchinson, for the writings you speak of I have them not, and this I must say I did not write down all that was said and did pass betwixt one and another, yet I say what is written I will avouch.

Dep. Gov. I desire that the other elders will say what Mr. Peters hath said.

Mr. Weld.

* Pastor or one of the ministers of Boston.

Mr. Weld.* Being desired by the honoured court, that which our brother Peters hath spoken was the truth and things were spoken as he hath related and the occasion of calling this sister and the passages that were there among us. And myself asking why she did cast such aspersions upon the ministers of the country though we were poor sinful men and for our selves we cared not but for the precious doctrine we held forth we could not but grieve to hear that so blasphemed. She at that time was sparing in her speech. I need not repeat the things they have been truly related. She said the fear of man is a snare and therefore I will speak freely and she spake her judgment and mind freely as was before related, that Mr. Cotton did preach a covenant of grace and we a covenant of works. And this I remember she said we could not preach a covenant of grace because we were not sealed, and we were not able ministers of the new testament no more than were the disciples before the resurrection of Christ.

Mr. Phillips,† For my own part I have had little to do in these things only at that time I was there and yet not being privy to the ground of that which our brother Peters hath mentioned but they procuring me to go along with them telling me that they were to deal with her; at first she was unwilling to answer but at length she said there was a great deal of difference between Mr. Cotton and we. Upon this Mr. Cotton did say that he could have wished that she had not put that in. Being asked of particulars she did instance in Mr. Shepard that he did not preach a covenant of grace clearly and she instanced our brother Weld. Then I asked her of myself (being she spake rashly of them all) because she never heard me at all. She likewise said that we were not able ministers of the new testament and her reason was because we were not sealed.

Mr.

* Minister of Roxbury. He wrote the history of antinomianism.
† Minister of Watertown.

Mr. Simmes.* For my own part being called to ſpeak in this caſe to diſcharge the relation wherein I ſtand to the commonwealth and that which I ſtand in unto God, I ſhall ſpeak briefly. For my acquaintance with this perſon I had none in our native country, only I had occaſion to be in her company once or twice before I came, where I did perceive that ſhe did ſlight the miniſters of the word of God. But I came along with her in the ſhip, and it ſo fell out that we were in the great cabin together and therein did agree with the labours of Mr. Lothrop and myſelf, only there was a ſecret oppoſition to things delivered. The main thing that was then in hand was about the evidencing of a good eſtate, and among the reſt about that place in John concerning the love of the brethren. That which I took notice of was the corruptneſs and narrowneſs of her opinions, which I doubt not but I may call them ſo, but ſhe ſaid, when ſhe came to Boſton there would be ſomething more ſeen than I ſaid, for ſuch ſpeeches were caſt about and abuſed as that of our ſaviour, I have many things to ſay but you cannot bear them now. And being come and ſhe deſiring to be admitted a member, I was deſired to be there, and then Mr. Cotton did give me full ſatisfaction in the things then in queſtion. And for things which have been here ſpoken, as far as I can remember they are the truth, and when I aſked her what ſhe thought of me, ſhe ſaid alas you know my mind long ago, yet I do not think myſelf diſparaged by her teſtimony and I would not trouble the court, only this one thing I ſhall put in, that Mr. Dudley and Mr. Haines were not wanting in the cauſe after I had given notice of her.

Mr. Wilſon. I deſire you would give me leave to ſpeak this word becauſe of what has been ſaid concerning her entrance into the church. There was ſome difficulty made, but in her anſwers ſhe gave full ſatisfaction to our teacher and myſelf, and for point of evidencing juſtification by ſanctification ſhe did not deny, but only juſtification muſt be firſt. Our teacher told her then

* Miniſter of Charleſtown.

then that if ſhe was of that mind ſhe would take away the ſcruple; for we thought that matter, for point of order we did not greatly ſtand upon, becauſe we hoped ſhe would hold with us in that truth as well as the other.

Mr. Shephard.* I am loth to ſpeak in this aſſembly concerning this gentlewoman in queſtion, but I can do no leſs than ſpeak what my conſcience ſpeaks unto me. For perſonal reproaches I take it a man's wiſdom to conceal. Concerning the reproaches of the miniſtry of our's there hath been many in the country, and this hath been my thoughts of that. Let men ſpeak what they will not only againſt perſons but againſt miniſtry, let that paſs, but let us ſtrive to ſpeak to the conſciences of men, knowing that if we had the truth with us we ſhall not need to approve our words by our practice and our miniſtry to the hearts of the people, and they ſhould ſpeak for us and therefore I have ſatisfied myſelf and the brethren with that. Now for that which concerns this gentlewoman at this time I do not well remember every particular, only this I do remember that the end of our meeting was to ſatisfy ourſelves in ſome points. Among the reſt Mrs. Hutchinſon was deſired to ſpeak her thoughts concerning the miniſters of the Bay. Now I remember that ſhe ſaid that we were not able miniſters of the new teſtament. I followed her with particulars, ſhe inſtanced myſelf as being at the lecture and hearing me preach when as I gave ſome means whereby a chriſtian might come to the aſſurance of God's love. She inſtanced that I was not ſealed. I ſaid why did ſhe ſay ſo. She ſaid becauſe you put love for an evidence. Now I am ſure ſhe was in an error in this ſpeech for if aſſurance be an holy eſtate then I am ſure there are not graces wanting to evidence it.

Mr. Eliot.† I am loth to ſpend time therefore I ſhall conſent to what hath been ſaid. Our brethren did intreat us to write and a few things I did write the ſubſtance of which hath been here ſpoken and I have it in writing therefore I do avouch it.

Mr.

* Miniſter of Cambridge. † Miniſter of Roxbury.

Mr. Shephard. I deſire to ſpeak this word, it may be but a ſlip of her tongue, and I hope ſhe will be ſorry for it, and then we ſhall be glad of it.

Dep. Gov. I called theſe witneſſes and you deny them. You ſee they have proved this and you deny this, but it is clear. You ſaid they preached a covenant of works and that they were not able miniſters of the new teſtament; now there are two other things that you did affirm which were that the ſcriptures in the letter of them held forth nothing but a covenant of works and likewiſe that thoſe that were under a covenant of works cannot be ſaved.

Mrs. H. Prove that I ſaid ſo. (Gov.) Did you ſay ſo?

Mrs. H. No Sir it is your concluſion.

D. Gov. What do I do charging of you if you deny what is ſo fully proved.

Gov. Here are ſix undeniable miniſters who ſay it is true and yet you deny that you did ſay that they did preach a covenant of works and that they were not able miniſters of the goſpel, and it appears plainly that you have ſpoken it, and whereas you ſay that it was drawn from you in a way of friendſhip, you did profeſs then that it was out of conſcience that you ſpake and ſaid The fear of man is a ſnare wherefore ſhould I be afraid, I will ſpeak plainly and freely.

Mrs. H. That I abſolutely deny, for the firſt queſtion was thus anſwered by me to them. They thought that I did conceive there was a difference between them and Mr. Cotton. At the firſt I was ſomewhat reſerved, then ſaid Mr. Peters I pray anſwer the queſtion directly as fully and as plainly as you deſire we ſhould tell you our minds. Mrs. Hutchinſon we come for plain dealing and telling you our hearts. Then I ſaid I would deal as plainly as I could, and whereas they ſay I ſaid they were under a covenant of works and in the ſtate of the apoſtles why theſe two ſpeeches croſs one another. I might ſay they might preach a covenant of works as did the apoſtles, but to preach a covenant of works and to be under a covenant of works is another buſineſs.

Dep.

Dep. Gov. There have been ſix witneſſes to prove this and yet you deny it.

Mrs. H. I deny that theſe were the firſt words that were ſpoken.

Gov. You make the caſe worſe, for you clearly ſhew that the ground of your opening your mind was not to ſatisfy them but to ſatisfy your own conſcience.

Mr. Peters. We do not deſire to be ſo narrow to the court and the gentlewoman about times and ſeaſons, whether firſt or after, but ſaid it was.

Dep. Gov. For that other thing I mentioned for the letter of the ſcripture that it held forth nothing but a covenant of works, and for the latter that we are in a ſtate of damnation, being under a covenant of works, or to that effect, theſe two things you alſo deny. Now the caſe ſtands thus. About three quarters of a year ago I heard of it, and ſpeaking of it there came one to me who is not here, but will affirm it if need be, as he did to me that he did hear you ſay in ſo many words. He ſet it down under his hand and I can bring it forth when the court pleaſes. His name is ſubſcribed to both theſe things, and upon my peril be it if I bring you not in the paper and bring the miniſter (meaning Mr. Ward) to be depoſed.

Gov. What ſay you to this, though nothing be directly proved yet you hear it may be.

Mrs. H. I acknowledge uſing the words of the apoſtle to the Corinthians unto him, that they that were miniſters of the letter and not the ſpirit did preach a covenant of works. Upon his ſaying there was no ſuch ſcripture, then I fetched the bible and ſhewed him this place 2 Cor. iii. 6. He ſaid that was the letter of the law. No ſaid I it is the letter of the goſpel.

Gov. You have ſpoken this more than once then.

Mrs. H. Then upon further diſcourſe about proving a good eſtate and holding it out by the manifeſtation of the ſpirit he did acknowledge that to be the neareſt way, but yet ſaid he, will you not acknowledge that which

which we hold forth to be a way too wherein we may have hope; no truly if that be a way it is a way to hell.

Gov. Mrs. Hutchinſon, the court you ſee hath laboured to bring you to acknowledge the error of your way that ſo you might be reduced, the time now grows late, we ſhall therefore give you a little more time to conſider of it and therefore deſire that you attend the court again in the morning.

The next morning.

Gov. We proceeded the laſt night as far as we could in hearing of this cauſe of Mrs. Hutchinſon. There were divers things laid to her charge, her ordinary meetings about religious exerciſes, her ſpeeches in derogation of the miniſters among us, and the weakning of the hands and hearts of the people towards them. Here was ſufficient proof made of that which ſhe was accuſed of in that point concerning the miniſters and their miniſtry, as that they did preach a covenant of works when others did preach a covenant of grace, and that they were not able miniſters of the new teſtament, and that they had not the ſeal of the ſpirit, and this was ſpoken not as was pretended out of private conference, but out of conſcience and warrant from ſcripture alledged the fear of man is a ſnare and ſeeing God had given her a calling to it ſhe would freely ſpeak. Some other ſpeeches ſhe uſed, as that the letter of the ſcripture held forth a covenant of works, and this is offered to be proved by probable grounds. If there be any thing elſe that the court hath to ſay they may ſpeak.

Mrs. H. The miniſters come in their own cauſe. Now the Lord hath ſaid that an oath is the end of all controverſy; though there be a ſufficient number of witneſſes yet they are not according to the word, therefore I deſire they may ſpeak upon oath.

Gov. Well, it is in the liberty of the court whether they will have an oath or no and it is not in this caſe as in caſe of a jury. If they be ſatisfied they have ſufficient matter to proceed.

Mrs. H. I have ſince I went home peruſed ſome notes out of what Mr. Wilſon did then write and I find things not to be as hath been alledged.

Gov. Where are the writings?

Mrs. H. I have them not, it may be Mr. Wilſon hath.

Gov. What are the inſtructions that you can give, Mr. Wilſon?

Mr. Wilſon. I do ſay that Mr. Vane deſired me to write the diſcourſe out and whether it be in his own hands or in ſome body's elſe I know not. For my own copy it is ſomewhat imperfect, but I could make it perfect with a little pains.

Gov. For that which you alledge as an exception againſt the elders it is vain and untrue, for they are no proſecutors in this cauſe but are called to witneſs in the cauſe.

Mr. H. But they are witneſſes of their own cauſe.

Gov. It is not their cauſe but the cauſe of the whole country and they were unwilling that it ſhould come forth, but that it was the glory and honour of God.

Mrs. H. But it being the Lord's ordinance that an oath ſhould be the end of all ſtrife, therefore they are to deliver what they do upon oath.

Mr. Bradſtreet. Mrs. Hutchinſon, theſe are but circumſtances and adjuncts to the cauſe, admit they ſhould miſtake you in your ſpeeches you would make them to ſin if you urge them to ſwear.

Mrs. H. That is not the thing. If they accuſe me I deſire it may be upon oath.

Gov. If the court be not ſatisfied they may have an oath.

Mr. Nowel.* I ſhould think it convenient that the country alſo ſhould be ſatisfied becauſe that I do hear it affirmed, that things which were ſpoken in private are carried abroad to the publick and thereupon they do undervalue the miniſters of congregations.

Mr. Brown.† I deſire to ſpeak. If I miſtake not an oath is of a high nature, and it is not to be taken but in a

* An aſſiſtant.

† A deputy for Watertown and a ruling elder there.

a controverſy, and for my part I am afraid of an oath and fear that we ſhall take God's name in vain, for we may take the witneſs of theſe men without an oath.

Mr. Endicot. I think the miniſters are ſo well known unto us, that we need not take an oath of them, but indeed an oath is the end of all ſtrife.

Mrs. H. There are ſome that will take their oaths to the contrary.

Mr. Endicot. Then it ſhall go under the name of a controverſy, therefore we deſire to ſee the notes and thoſe alſo that will ſwear.

Gov. Let thoſe that are not ſatisfied in the court ſpeak.

Many ſay.—We are not ſatisfied.

Gov. I would ſpeak this to Mrs. Hutchinſon. If the miniſters ſhall take an oath will you ſit down ſatisfied?

Mrs. H. I can't be notwithſtanding oaths ſatisfied againſt my own conſcience.

Mr. Stoughton.* I am fully ſatisfied with this that the miniſters do ſpeak the truth but now in regard of cenſure I dare not hold up my hand to that, becauſe it is a courſe of juſtice, and I cannot ſatisfy myſelf to proceed ſo far in a way of juſtice, and therefore I ſhould deſire an oath in this as in all other things. I do but ſpeak to prevent offence if I ſhould not hold up my hand at the cenſure unleſs there be an oath given.

Mr. Peters. We are ready to ſwear if we ſee a way of God in it.

Here was a parley between the deputy governor and Mr. Stoughton about the oath.

Mr. Endicot. If they will not be ſatisfied with a teſtimony an oath will be in vain.

Mr. Stoughton. I am perſuaded that Mrs. Hutchinſon and many other godly-minded people will be ſatisfied without an oath.

Mrs. H. An oath Sir is an end of all ſtrife and it is God's ordinance.

Mr. Endicot. A ſign it is what reſpect ſhe hath to their words, and further, pray ſee your argument, you

* An aſſiſtant.

will have the words that were written and yet Mr. Wilſon ſaith he writ not all, and now you will not believe all theſe godly miniſters without an oath.

Mrs. H. Mr. Wilſon did affirm that which he gave in to the governor that then was to be true. (Some reply) But not all the truth.

Mr. Wilſon. I did ſay ſo far as I did take them they were true.

Mr. Harlakenden.* I would have the ſpectators take notice that the court doth not ſuſpect the evidence that is given in, though we ſee that whatever evidence is brought in will not ſatisfy, for they are reſolved upon the thing and therefore I think you will not be unwilling to give your oaths.

Gov. I ſee no neceſſity of an oath in this thing ſeeing it is true and the ſubſtance of the matter confirmed by divers, yet that all may be ſatisfied, if the elders will take an oath they ſhall have it given them.

Dep. Gov. Let us join the things together that Mrs. Hutchinſon may ſee what they have their oaths for.

Mrs. H. I will prove by what Mr. Wilſon hath written that they never heard me ſay ſuch a thing.

Mr. Sims. We deſire to have the paper and have it read.

Mr. Harlakenden. I am perſuaded that is the truth that the elders do ſay and therefore I do not ſee it neceſſary now to call them to oath.

Gov. We cannot charge any thing of untruth upon them.

Mr. Harlakenden. Beſides, Mrs. Hutchinſon doth ſay that they are not able miniſters of the new teſtament.

Mrs. H. They need not ſwear to that.

Dep. Gov. Will you confeſs it then.

Mrs. H. I will not deny it nor ſay it.

Dep. Gov. You muſt do one.

Mrs. H. After that they have taken an oath, I will make good what I ſay.

Gov. Let us ſtate the caſe and then we may know what to do. That which is laid to Mrs. Hutchinſon's charge

* An aſſiſtant.

charge is this, that ſhe hath traduced the magiſtrates and miniſters of this juriſdiction, that ſhe hath ſaid the miniſters preached a covenant of works and Mr. Cotton a covenant of grace,and that they were not able miniſters of the goſpel, and ſhe excuſes it that ſhe made it a private conference and with a promiſe of ſecrecy, &c. now this is charged upon her, and they therefore ſent for her ſeeing ſhe made it her table talk, and then ſhe ſaid the fear of man was a ſnare and therefore ſhe would not be affeared of them.

Mrs. H. This that your ſelf hath ſpoken, I deſire that they may take their oaths upon.

Gov. That that we ſhould put the reverend elders unto is this that they would deliver upon oath that which they can remember themſelves.

Mr. Shepard, I know no reaſon of the oath but the importunity of this gentlewoman.

Mr. Endicot. You lifted up your eyes as if you took God to witneſs that you came to entrap none and yet you will have them ſwear.

Mr. Harlakenden. Put any paſſage unto them and ſee what they ſay.

Mrs. H. They ſay I ſaid the fear of man is a ſnare, why ſhould I be afraid. When I came unto them, they urging many things unto me and I being backward to anſwer at firſt, at length this ſcripture came into my mind 29th Prov. 15. The fear of man bringeth a ſnare, but whoſo putteth his truſt in the Lord ſhall be ſafe.

Mr. Harlakenden. This is not an eſſential thing.

Gov. I remember his teſtimony was this.

Mrs. H. Ey, that was the thing that I do deny for they were my words and they were not ſpoken at the firſt as they do alledge.

Mr. Peters. We cannot tell what was firſt or laſt, we ſuppoſe that an oath is an end of all ſtrife and we are tender of it, yet this is the main thing againſt her that ſhe charged us to be unable miniſters of the goſpel and to preach a covenant of works.

Gover. You do underſtand the thing, that t hecourt is clear for we are all ſatisfied that it is truth but becauſe we would take away all ſcruples, we deſire that you would ſatisfy the ſpectators by your oath.

Mr. Biſhop.* I deſire to know before they be put to oath whether their teſtimony be of validity.

Dep. Gov. What do you mean to trouble the court with ſuch queſtions. Mark what a flouriſh Mrs. Hutchinſon puts upon the buſineſs that ſhe had witneſſes to diſprove what was ſaid and here is no man to bear witneſs.

Mrs. H. If you will not call them in that is nothing to me.

Mr. Eliot. We deſire to know of her and her witneſſes what they deny and then we ſhall ſpeak upon oath. I know nothing we have ſpoken of but we may ſwear to.

Mr. Sims. Ey, and more than we have ſpoken to.

Mr. Stoughton. I would gladly that an oath ſhould be given that ſo the perſon to be condemned ſhould be ſatisfied in her conſcience and I would ſay the ſame for my own conſcience if I ſhould join in the cenſure —— *Two or three lines in the MS are defaced and not legible.*

Mr. Coggeſhall.† I deſire to ſpeak a word — It is deſired that the elders would confer with Mr. Cotton before they ſwear.

Govern. Shall we not believe ſo many godly elders in a cauſe wherein we know the mind of the party without their teſtimony?

Mr. Endicot to Mr. Coggeſhall. } I will tell you what I ſay. I think that this carriage of your's tends to further caſting dirt upon the face of the judges.

Mr. Harlakenden. Her carriage doth the ſame for ſhe doth not object any eſſential thing, but ſhe goes upon circumſtances and yet would have them ſworn.

Mrs. H. This I would ſay unto them. Foraſmuch as it was affirmed by the deputy that he would bring proof of theſe things, and the elders they bring proof in their own cauſe, therefore I deſire that particular witneſſes be for theſe things that they do ſpeak.

Gov.

* One of the deputies or repreſentatives.
† One of the deputies for Boſton.

Gov. The elders do know what an oath is and as it is an ordinance of God ſo it ſhould be uſed.

Mrs. H. That is the thing I deſire and becauſe the deputy ſpake of witneſſes I have them here preſent.

Mr. Colborn.* We deſire that our teacher may be called to hear what is ſaid.——Upon this Mr. Cotton came and ſat down by Mrs. Hutchinſon.

Mr. Endicot. This would caſt ſome blame upon the miniſters—Well, but whatſoever he will or can ſay we will believe the miniſters.

Mr. Eliot. } We deſire to ſee light why we ſhould
Mr Shepard. } take an oath.

Mr. Stoughton. Why it is an end of all ſtrife and I think you ought to ſwear and put an end to the matter.

Mr. Peters. Our oath is not to ſatisfy Mrs. Hutchinſon but the court.

Mr. Endicot. The aſſembly will be ſatisfied by it.

Dep. Gov. If the country will not be ſatisfied you muſt ſwear.

Mr. Shepard. I conceive the country doth not require it.

Dep. Gov. Let her witneſſes be called.

Gov. Who be they?

Mrs. H. Mr. Leveret and our teacher and Mr. Coggeſhall.

Gov. Mr. Coggeſhall was not preſent.

Mr. Coggeſhall. Yes but I was, only I deſired to be ſilent till I ſhould be called.

Gov. Will you Mr. Coggeſhall ſay that ſhe did not ſay ſo?

Mr. Coggeſhall. Yes I dare ſay that ſhe did not ſay all that which they lay againſt her.

Mr. Peters. How dare you look into the court to ſay ſuch a word?

Mr. Coggeſhall. Mr. Peters takes upon him to forbid me. I ſhall be ſilent.

Mr. Stoughton. Ey, but ſhe intended this that they ſay.

Gov. Well, Mr. Leveret, what were the words? I pray ſpeak.

* A deputy for Boſton and a ruling elder in the church.

Mr. Leveret.* To my beſt remembrance when the elders did ſend for her, Mr. Peters did with much vehemency and intreaty urge her to tell what difference there was between Mr. Cotton and them, and upon his urging of her ſhe ſaid. The fear of man is a ſnare, but they that truſt upon the Lord ſhall be ſafe. And being aſked wherein the difference was, ſhe anſwered that they did not preach a covenant of grace ſo clearly as Mr. Cotton did, and ſhe gave this reaſon of it becauſe that as the apoſtles were for a time without the ſpirit ſo until they had received the witneſs of the ſpirit they could not preach a covenant of grace ſo clearly.

Gov. Don't you remember that ſhe ſaid they were not able miniſters of the new teſtament?

Mrs. H. Mr. Weld and I had an hour's diſcourſe at the window and then I ſpake that, if I ſpake it.

Mr. Weld. Will you affirm that in the court? Did not I ſay unto you, Mrs. Hutchinſon, before the elders. When I produced the thing, you then called for proof. Was not my anſwer to you, leave it there, and if I cannot prove it you ſhall be blameleſs?

Mrs. H. This I remember I ſpake, but do not you remember that I came afterwards to the window when you was writing and there ſpake unto you.

Mr. Weld. No truly. (Mrs. H.) But I do very well.

Gov. Mr. Cotton, the court deſires that you declare what you do remember of the conference which was at that time and is now in queſtion.

Mr. Cotton.† I did not think I ſhould be called to bear witneſs in this cauſe and therefore did not labour to call to remembrance what was done; but the greateſt paſſage that took impreſſion upon me was to this purpoſe. The elders ſpake that they had heard that ſhe had ſpoken ſome condemning words of their miniſtry, and among other things they did firſt pray her to anſwer wherein ſhe thought their miniſtry did differ from mine, how the compariſon ſprang I am ignorant, but ſorry I was

* A ruling elder in Boſton church.

† Teacher of Boſton church.

was that any compariſon ſhould be between me and my brethren and uncomfortable it was, ſhe told them to this purpoſe that they did not hold forth a covenant of grace as I did, but wherein did we differ? why ſhe ſaid that they did not hold forth the ſeal of the ſpirit as he doth. Where is the difference there? ſay they, why ſaith ſhe ſpeaking to one or other of them, I know not to whom. You preach of the ſeal of the ſpirit upon a work and he upon free grace without a work or without reſpect to a work, he preaches the ſeal of the ſpirit upon free grace and you upon a work. I told her I was very ſorry that ſhe put compariſons between my miniſtry and their's, for ſhe had ſaid more than I could myſelf, and rather I had that ſhe had put us in fellowſhip with them and not have made that diſcrepancy. She ſaid, ſhe found the difference. Upon that there grew ſome ſpeeches upon the thing and I do remember I inſtanced to them the ſtory of Thomas Bilney in the book of martyrs how freely the ſpirit witneſſed unto him without any reſpect unto a work as himſelf profeſſes. Now upon this other ſpeeches did grow. If you put me in mind of any thing I ſhall ſpeak it, but this was the ſum of the difference, nor did it ſeem to be ſo ill taken as it is and our brethren did ſay alſo that they would not ſo eaſily believe reports as they had done and withall mentioned that they would ſpeak no more of it, ſome of them did; and afterwards ſome of them did ſay they were leſs ſatisfied than before. And I muſt ſay that I did not find her ſaying they were under a covenant of works, nor that ſhe ſaid they did preach a covenant of works.

Gov. You ſay you do not remember, but can you ſay ſhe did not ſpeak ſo——*Here two lines again defaced.*

Mr. Cotton. I do remember that ſhe looked at them as the apoſtles before the aſcenſion.

Mr. Peters. I humbly deſire to remember our reverend teacher. May it pleaſe you to remember how this came in. Whether do you not remember that ſhe ſaid we were not ſealed with the ſpirit of grace, therefore could

not

not preach a covenant of grace, and ſhe ſaid further you may do it in your judgment but not in experience, but ſhe ſpake plump that we were not ſealed.

Mr. Cotton. You do put me in remembrance that it was aſked her why cannot we preach a covenant of grace? Why, ſaith ſhe, becauſe you can preach no more than you know, or to that purpoſe, ſhe ſpake. Now that ſhe ſaid you could not preach a covenant of grace I do not remember ſuch a thing, I remember well that ſhe ſaid you were not ſealed with the ſeal of the ſpirit.

Mr. Peters. There was a double ſeal found out that day which never was.

Mr. Cotton. I know very well that ſhe took the ſeal of the ſpirit in that ſenſe for the full aſſurance of God's favour by the holy ghoſt, and now that place in the Epheſians doth hold out that ſeal.

Mr. Peters. So that was the ground of our diſcourſe concerning the great ſeal and the little ſeal.

Mr. Cotton. To that purpoſe I remember ſomebody ſpeaking of the difference of the witneſs of the ſpirit and the ſeal of the ſpirit, ſome to put a diſtinction called it the broad ſeal and the little ſeal. Our brother Wheelwright anſwered if you will have it ſo be it ſo.

Mrs. H. Mr. Ward ſaid that.

Some three or four of the miniſters. Mr. Wheelwright ſaid it.

Mr. Cotton. No, it was not brother Wheelwright's ſpeech but one of your own expreſſions, and as I remember it was Mr. Ward.

Mr. Peters. - - - - - - - - -

Mr. Cotton. Under favour I do not remember that.

Mr. Peters. Therefore her anſwer clears it in your judgment but not in your experience.

Mrs. H. My name is precious and you do affirm a thing which I utterly deny.

D. Gov. You ſhould have brought the book with you.

Mr. Nowell. The witneſſes do not anſwer that which you require.

Gov.

Gov. I do not ſee that we need their teſtimony any further. Mr. Cotton hath expreſſed what he remembred, and what took impreſſion upon him, and ſo I think the other elders alſo did remember that which took impreſſion upon them.

Mr. Weld. I then ſaid to Mrs. Hutchinſon when it was come to this iſſue, why did you let us go thus long and never tell us of it?

Gov. I ſhould wonder why the elders ſhould move the elders of our congregation to have dealt with her if they ſaw not ſome cauſe.

Mr. Cotton. Brother Weld and brother Shepard, I did then clear myſelf unto you that I underſtood her ſpeech in expreſſing herſelf to you that you did hold forth ſome matter in your preaching that was not pertinent to the ſeal of the ſpirit—— *Two lines defaced.*

Dep. Gov. They affirm that Mrs. Hutchinſon did ſay they were not able miniſters of the new teſtament.

Mr. Cotton. I do not remember it.

Mrs. H. If you pleaſe to give me leave I ſhall give you the ground of what I know to be true. Being much troubled to ſee the falſeneſs of the conſtitution of the church of England, I had like to have turned ſeparatiſt; whereupon I kept a day of ſolemn humiliation and pondering of the thing; this ſcripture was brought unto me—he that denies Jeſus Chriſt to be come in the fleſh is antichriſt—this I conſidered of and in conſidering found that the papiſts did not deny him to be come in the fleſh, nor we did not deny him—who then was antichriſt? Was the Turk antichriſt only? The Lord knows that I could not open ſcripture; he muſt by his prophetical office open it unto me. So after that being unſatisfied in the thing, the Lord was pleaſed to bring this ſcripture out of the Hebrews. He that denies the teſtament denies the teſtator, and in this did open unto me and give me to ſee that thoſe which did not teach the new covenant had the ſpirit of antichriſt, and upon this he did diſcover the miniſtry unto me and ever ſince,

I bleſs the Lord, he hath let me ſee which was the clear miniſtry and which the wrong. Since that time I confeſs I have been more choice and he hath let me to diſtinguiſh between the voice of my beloved and the voice of Moſes, the voice of John Baptiſt and the voice of antichriſt, for all thoſe voices are ſpoken of in ſcripture. Now if you do condemn me for ſpeaking what in my conſcience I know to be truth I muſt commit myſelf unto the Lord.

Mr. Nowell. How do you know that that was the ſpirit?

Mrs. H. How did Abraham know that it was God that bid him offer his ſon, being a breach of the ſixth commandment?

Dep. Gov. By an immediate voice.

Mrs. H. So to me by an immediate revelation.

Dep. Gov. How! an immediate revelation.

Mrs. H. By the voice of his own ſpirit to my ſoul. I will give you another ſcripture, Jer. 46. 27, 28—out of which the Lord ſhewed me what he would do for me and the reſt of his ſervants.—But after he was pleaſed to reveal himſelf to me I did preſently like Abraham run to Hagar. And after that he did let me ſee the atheiſm of my own heart, for which I begged of the Lord that it might not remain in my heart, and being thus, he did ſhew me this (a twelvemonth after) which I told you of before. Ever ſince that time I have been confident of what he hath revealed unto me.

Obliterated. } another place out of Daniel chap. 7. and he
} and for us all, wherein he ſhewed me the ſitting of the judgment and the ſtanding of all high and low before the Lord and how thrones and kingdoms were caſt down before him. When our teacher came to New-England it was a great trouble unto me, my brother Wheelwright being put by alſo. I was then much troubled concerning the miniſtry under which I lived, and then that place in the 30th of Iſaiah was brought to my mind. Though the Lord give thee bread of adverſity

adverſity and water of affliction yet ſhall not thy teachers be removed into corners any more, but thine eyes ſhall ſee thy teachers. The Lord giving me this promiſe and they being gone there was none then left that I was able to hear, and I could not be at reſt but I muſt come hither. Yet that place of Iſaiah did much follow me, though the Lord give thee the bread of adverſity and water of affliction. This place lying I ſay upon me then this place in Daniel was brought unto me and did ſhew me that though I ſhould meet with affliction yet I am the ſame God that delivered Daniel out of the lion's den, I will alſo deliver thee. ——— Therefore I deſire you to look to it, for you ſee this ſcripture fulfilled this day and therefore I deſire you that as you tender the Lord and the church and commonwealth to conſider and look what you do. You have power over my body but the Lord Jeſus hath power over my body and ſoul, and aſſure yourſelves thus much, you do as much as in you lies to put the Lord Jeſus Chriſt from you, and if you go on in this courſe you begin you will bring a curſe upon you and your poſterity, and the mouth of the Lord hath ſpoken it.

Dep. Gov. What is the ſcripture ſhe brings?

Mr. Stoughton. Behold I turn away from you.

Mrs. H. But now having ſeen him which is inviſible I fear not what man can do unto me.

Gov. Daniel was delivered by miracle do you think to be deliver'd ſo too?

Mrs. H. I do here ſpeak it before the court. I look that the Lord ſhould deliver me by his providence.

Mr. Harlakenden. I may read ſcripture and the moſt glorious hypocrite may read them and yet go down to hell.

Mrs. H. It may be ſo.

Mr. Bartholomew.* I would remember one word to Mrs. Hutchinſon among many others. She knowing that I did know her opinions, being ſhe was at my houſe at London, ſhe was afraid I conceive or loth to impart herſelf unto me, but when ſhe came within ſight of Boſton

* A deputy I ſuppoſe for Salem.

Boſton and looking upon the meanneſs of the place, I conceive, ſhe uttered theſe words, if ſhe had not a ſure word that England ſhould be deſtroyed her heart would ſhake. Now it ſeemed to me at that time very ſtrange that ſhe ſhould ſay ſo.

Mrs. H. I do not remember that I looked upon the meanneſs of the place nor did it diſcourage me, becauſe I knew the bounds of my habitation were determined, &c.

Mr. Bartholomew. I ſpeak as a member of the court. I fear that her revelations will deceive.

Gov. Have you heard of any of her revelations?

Mr. Barthol. For my own part I am ſorry to ſee her now here and I have nothing againſt her but what I ſaid was to diſcover what manner of ſpirit Mrs. Hutchinſon is of; only I remember as we were once going through Paul's church yard ſhe then was very inquiſitive after revelations and ſaid that ſhe had never had any great thing done about her but it was revealed to her beforehand. (Mrs. H.) I ſay the ſame thing again.

Mr. Bartholomew. And alſo that ſhe ſaid that ſhe was come to New-England but for Mr. Cotton's ſake. As for Mr. Hooker (as I remember) ſhe ſaid ſhe liked not his ſpirit, only ſhe ſpake of a ſermon of his in the low countries wherein he ſaid thus—it was revealed to me yeſterday that England ſhould be deſtroyed. She took notice of that paſſage and it was very acceptable with her.

Mr. Cotton. One thing let me intreat you to remember, Mr. Bartholomew, that you never ſpake any thing to me.

Mr. Barth. No Sir, I never ſpake of it to you and therefore I deſire to clear Mr. Cotton.

Gov. There needs no more of that.

Mr. Barth. Only I remember her eldeſt daughter ſaid in the ſhip that ſhe had a revelation that a young man in the ſhip ſhould be ſaved, but he muſt walk in the ways of her mother.

Mr. Sims. I could ſay ſomething to that purpoſe, for ſhe ſaid—then what would you ſay if we ſhould be at New-England within theſe three weeks, and I reproved her vehemently for it.

Mr. Eliot.

Mr. Eliot. That ſpeech of Mr. Hooker's which they alledge is againſt his mind and judgment. †

Mr. Sims. I would intreat Mrs. Hutchinſon to remember, that the humble he will teach—I have ſpoken before of it and therefore I will leave the place with her and do-deſire her to conſider of many expreſſions that ſhe hath ſpoken to her huſband, but I will not enlarge myſelf.

Mr. Endicot. I would have a word or two with leave of that which hath thus far been revealed to the court. I have heard of many revelations of Mr. Hutchinſon's, but they were reports, but Mrs. Hutchinſon I ſee doth maintain ſome by this diſcourſe, and I think it is a ſpecial providence of God to hear what ſhe hath ſaid. Now there is a revelation you ſee which ſhe doth expect as a miracle. She ſaith ſhe now ſuffers and let us do what we will ſhe ſhall be delivered by a miracle. I hope the court takes notice of the vanity of it and heat of her ſpirit. Now becauſe her reverend teacher is here I ſhould deſire that he would pleaſe to ſpeak freely whether he doth condeſcend to ſuch ſpeeches or revelations as have been here ſpoken of, and he will give a great deal of content.

Mr. Cotton. May it pleaſe you Sir. There are two ſorts of revelations, there are [*defaced*] or againſt the word beſides ſcripture both which [*defaced*] taſtical and tending to danger more ways than one —— there is another ſort which the apoſtle prays the believing Epheſians may be made partakers of, and thoſe are ſuch as are breathed by the ſpirit of God and are never diſpenſed but in a word of God and according to a word of God, and though the word revelation be rare in common ſpeech and we make it uncouth in our ordinary expreſſions, yet notwithſtanding, being underſtood in the ſcripture ſenſe I think they are not only lawful but ſuch as chriſtians may receive and God bear witneſs to it in his word, and uſually he doth

† Mr. Eliot was miſtaken. The paſſage from his ſermon is in print and Mr. Hooker avowed it afterwards at Hartford. Magn. B. iii. P. 62.

doth expreſs it in the miniſtry of the word and doth accompany it by his ſpirit, or elſe it is in the reading of the word in ſome chapter or verſe and whenever it comes it comes flying upon the wings of the ſpirit.

Mr. Endicot. You give me ſatisfaction in the thing and therefore I deſire you to give your judgment of Mrs. Hutchinſon; what ſhe hath ſaid you hear and all the circumſtances thereof.

Mr. Cotton. I would demand whether by a miracle ſhe doth mean a work above nature or by ſome wonderful providence for that is called a miracle often in the pſalms.

Mrs. H. I deſire to ſpeak to our teacher. You know Sir what he doth declare though he doth not know himſelf

[*ſomething wanting.*]

now either of theſe ways or at this preſent time it ſhall be done, yet I would not have the court ſo to underſtand me that he will deliver me now even at this preſent time.

Dep. Gov. I deſire Mr. Cotton to tell us whether you do approve of Mrs. Hutchinſon's revelations as ſhe hath laid them down.

Mr. Cotton. I know not whether I do underſtand her, but this I ſay, if ſhe doth expect a deliverance in a way of providence—then I cannot deny it.

Dep. Gov. No Sir we did not ſpeak of that.

Mr. Cotton. If it be by way of miracle then I would ſuſpect it.

Dep. Gov. Do you believe that her revelations are true?

Mr. Cotton. That ſhe may have ſome ſpecial providence of God to help her is a thing that I cannot bear witneſs againſt.

Dep. Gov. Good Sir I do aſk whether this revelation be of God or no?

Mr. Cotton. I ſhould deſire to know whether the ſentence of the court will bring her to any calamity, and then I would know of her whether ſhe expects to be delivered from that calamity by a miracle or a providence of God.

Mrs. H.

Mrs. H. By a providence of God I ſay I expect to be delivered from ſome calamity that ſhall come to me.

Gover. The caſe is altered and will not ſtand with us now, but I ſee a marvellous providence of God to bring things to this paſs that they are. We have been hearkening about the trial of this thing and now the mercy of God by a providence hath anſwered our deſires and made her to lay open her ſelf and the ground of all theſe diſturbances to be by revelations, for we receive no ſuch made out of the miniſtry of the word

and ſo one ſcripture after another, but all this while there is no uſe of the miniſtry of the word nor of any clear call of God by his word, but the ground work of her revelations is the immediate revelation of the ſpirit and not by the miniſtry of the word, and that is the means by which ſhe hath very much abuſed the country that they ſhall look for revelations and are not bound to the miniſtry of the word, but God will teach them by immediate revelations and this hath been the ground of all theſe tumults and troubles, and I would that thoſe were all cut off from us that trouble us, for this is the thing that hath been the root of all the miſchief.

Court. We all conſent with you.

Gov. Ey it is the moſt deſperate enthuſiaſm in the world, for nothing but a word comes to her mind and then an application is made which is nothing to the purpoſe, and this is her revelations when as it is impoſſible but that the word and ſpirit ſhould ſpeak the ſame thing.

Mr. Endicot. I ſpeak in reference to Mr. Cotton. I am tender of you Sir and there lies much upon you in this particular, for the anſwer of Mr. Cotton doth not free him from that way which his laſt anſwer did bring upon him, therefore I beſeech you that you'd be pleaſed to ſpeak a word to that which Mrs. Hutchinſon hath ſpoken of her revelations as you have heard the manner of it. Whether do you witneſs for her or againſt her.

Mr. Cotton. This is that I ſaid Sir, and my anſwer is plain that if ſhe doth look for deliverance from the hand of God by his providence, and the revelation be in a word or according to a word, that I cannot deny.

Mr. Endicot. You give me ſatisfaction.

Dep. Gov. No, no, he gives me none at all.

Mr. Cotton. But if it be in a way of miracle or a revelation without the word that I do not aſſent to, but look at it as a deluſion, and I think ſo doth ſhe too as I underſtand her.

Dep. Gov. Sir, you weary me and do not ſatisfy me.

Mr. Cotton. I pray Sir give me leave to expreſs my ſelf. In that ſenſe that ſhe ſpeaks I dare not bear witneſs againſt it.

Mr. Nowell. I think it is a deviliſh deluſion.

Gover. Of all the revelations that ever I read of I never read the like ground laid as is for this. The Enthuſiaſts and Anabaptiſts had never the like.

Mr. Cotton. You know Sir, that their revelations broach new matters of faith and doctrine.

Gover. So do theſe and what may they breed more if they be let alone. I do acknowledge that there are ſuch revelations as do concur with the word but there hath not been any of this nature.

Dep. Gov. I never ſaw ſuch revelations as theſe among the Anabaptiſts, therefore am ſorry that Mr. Cotton ſhould ſtand to juſtify her.

Mr. Peters. I can ſay the ſame and this runs to enthuſiaſm, and I think that is very diſputable which our brother Cotton hath ſpoken [*wanting*] an immediate promiſe that he will deliver them [*wanting*] in a day of trouble.

Gover. It overthrows all.

Dep. Gov. Theſe diſturbances that have come among the Germans have been all grounded upon revelations, and ſo they that have vented them have ſtirred up their hearers to take up arms againſt their prince and to cut the throats one of another, and theſe have been the fruits

fruits of them, and whether the devil may inſpire the ſame into their hearts here I know not, for I am fully perſuaded that Mrs. Hutchinſon is deluded by the devil, becauſe the ſpirit of God ſpeaks truth in all his ſervants.

Gov. I am perſuaded that the revelation ſhe brings forth is deluſion.

All the court but ſome two or three miniſters cry out we all believe it—we all believe it.

Mr. Endicot. I ſuppoſe all the world may ſee where the foundation of all theſe troubles among us lies.

Mr. Eliot. I ſay there is an expectation of things promiſed, but to have a particular revelation of things that ſhall fall out, there is no ſuch thing in the ſcripture.

Gov. We will not limit the word of God.

Mr. Collicut.* It is a great burden to us that we differ from Mr. Cotton and that he ſhould juſtify theſe revelations. I would intreat him to anſwer concerning that about the deſtruction of England.

Gov. Mr. Cotton is not called to anſwer to any thing but we are to deal with the party here ſtanding before us.

Mr. Bartholomew. My wife hath ſaid that Mr. Wheelwright was not acquainted with this way until that ſhe imparted it unto him.

Mr. Brown. Inaſmuch as I am called to ſpeak, I would therefore ſpeak the mind of our brethren. Though we had ſufficient ground for the cenſure before, yet now ſhe having vented herſelf and I find ſuch flat contradiction to the ſcripture in what ſhe ſaith, as to that in the firſt to the Hebrews—God at ſundry times ſpake to our fathers—For my part I underſtand that ſcripture and other ſcriptures of the Lord Jeſus Chriſt, and the apoſtle writing to Timothy ſaith that the ſcripture is able to make one perfect—therefore I ſay the mind of the brethren—I think ſhe deſerves no leſs a cenſure than hath been already paſt but rather ſomething more, for this is the foundation of all miſchief and of all thoſe baſtardly things

* A deputy, I know not for what town, but I take him to be an inhabitant of Boſton and a principal merchant.

which have been overthrowing by that great meeting. They have all come out from this curſed fountain.

Gov. Seeing the court hath thus declared itſelf and hearing what hath been laid to the charge of Mrs. Hutchinſon and eſpecially what ſhe by the providence of God hath declared freely without being aſked, if therefore it be the mind of the court, looking at her as the principal cauſe of all our trouble, that they would now conſider what is to be done to her.——

Mr. Coddington. I do think that you are going to cenſure therefore I deſire to ſpeak a word.

Gov. I pray you ſpeak.

Mr. Coddington. There is one thing objected againſt the meetings. What if ſhe deſigned to edify her own family in her own meetings may none elſe be preſent?

Gov. If you have nothing elſe to ſay but that, it is pity Mr. Coddington that you ſhould interrupt us in proceeding to cenſure.

Mr. Coddington. I would ſay more Sir, another thing you lay to her charge is her ſpeech to the elders. Now I do not ſee any clear witneſs againſt her, and you know it is a rule of the court that no man may be a judge and an accuſer too. I do not ſpeak to diſparage our elders and their callings, but I do not ſee any thing that they accuſe her of witneſſed againſt her, and therefore I do not ſee how ſhe ſhould be cenſured for that. And for the other thing which hath fallen from her occaſionally by the ſpirit of God, you know the ſpirit of God witneſſes with our ſpirits, and there is no truth in ſcripture but God bears witneſs to it by his ſpirit, therefore I would entreat you to conſider whether thoſe things you have alledged againſt her deſerve ſuch cenſure as you are about to paſs, be it to baniſhment or impriſonment. And again here is nothing proved about the elders, only that ſhe ſaid they did not teach a covenant of grace ſo clearly as Mr. Cotton did, and that they were in the ſtate of the apoſtles before the aſcenſion. Why I hope this may not be offenſive nor any wrong to them.

Gov.

Gov. Paſs by all that hath been ſaid formerly and her own ſpeeches have been ground enough for us to proceed upon.

Mr. Coddington. I beſeech you do not ſpeak ſo to force things along, for I do not for my own part ſee any equity in the court in all your proceedings. Here is no law of God that ſhe hath broken nor any law of the country that ſhe hath broke, and therefore deſerves no cenſure, and if ſhe ſay that the elders preach as the apoſtles did, why they preached a covenant of grace and what wrong is that to them, for it is without queſtion that the apoſtles did preach a covenant of grace, though not with that power, till they received the manifeſtation of the ſpirit, therefore I pray conſider what you do, for here is no law of God or man broken.

Mr. Harlakenden. Things thus ſpoken will ſtick. I would therefore that the aſſembly take notice that here is none that condemns the meeting of chriſtian women; but in ſuch a way and for ſuch an end that it is to be deteſted. And then tho' the matter of the elders be taken away yet there is enow beſides to condemn her, but I ſhall ſpeak no further.

Dep. Gov. We ſhall be all ſick with faſting.

Mr. Colburn. I diſſent from cenſure of baniſhment.

Mr. Stoughton. The cenſure which the court is about to paſs in my conſcience is as much as ſhe deſerves, but becauſe ſhe deſires witneſs and there is none in way of witneſs therefore I ſhall deſire that no offence be taken if I do not formally condemn her becauſe ſhe hath not been formally convicted as others are by witneſſes upon oath.

Mr. Coddington. That is a ſcruple to me alſo, becauſe Solomon ſaith, every man is partial in his own cauſe, and here is none that accuſes her but the elders, and ſhe ſpake nothing to them but in private, and I do not know what rule they had to make the thing publick, ſecret things ought to be ſpoken in ſecret and publick things in publick, therefore I think they have broken the rules of God's word.

Gov. What was ſpoken in the preſence of many is not to be made ſecret.

Mr. Coddington. But that was ſpoken but to a few and in private.

Gov. In regard Mr. Stoughton is not ſatisfied to the end all ſcruples may be removed we ſhall deſire the elders to take their oaths.

Here now was a great whiſpering among the miniſters, ſome drew back others were animated on.

Mr. Eliot. If the court calls us out to ſwear we will ſwear.

Gov. Any two of you will ſerve.

Mr. Stoughton. There are two things that I would look to diſcharge my conſcience of, 1ſt to hear what they teſtify upon oath and 2dly to ———

Gov. It is required of you Mr. Weld and Mr. Eliot.

Mr. Weld. } We ſhall be willing.
Mr. Eliot. }

Gov. We'll give them their oaths. You ſhall ſwear

Mr. Peters held up his hand alſo. } to the truth and nothing but the truth as far as you know. So help you God. What you do remember of her ſpeak, pray ſpeak.

Mr. Eliot. I do remember and I have it written, that which ſhe ſpake firſt was, the fear of man is a ſnare, why ſhould ſhe be afraid but would ſpeak freely. The queſtion being aſked whether there was a difference between Mr. Cotton and us, ſhe ſaid there was a broad difference. I would not ſtick upon words—the thing ſhe ſaid—and that Mr. Cotton did preach a covenant of grace and we of works and ſhe gave this reaſon—to put a work in point of evidence is a revealing upon a work. We did labour then to convince her that our doctrine was the ſame with Mr. Cotton's: She ſaid no, for we were not ſealed. That is all I ſhall ſay.

Gov. What ſay you Mr. Weld?

Mr. Weld. I will ſpeak to the things themſelves—theſe two things I am fully clear in—ſhe did make a

difference

difference in three things, the firſt I was not ſo clear in, but that ſhe ſaid this I am fully ſure of, that we were not able miniſters of the new teſtament and that we were not clear in our experience becauſe we were not ſealed.

Mr. Eliot. I do further remember this alſo, that ſhe ſaid we were not able miniſters of the goſpel becauſe we were but like the apoſtles before the aſcenſion.

Mr. Coddington. This was I hope no diſparagement to you.

Gov. Well, we ſee in the court that ſhe doth continually ſay and unſay things.

Mr. Peters. I was much grieved that ſhe ſhould ſay that our miniſtry was legal. Upon which we had a meeting as you know and this was the ſame ſhe told us that there was a broad difference between Mr. Cotton and us. Now if Mr. Cotton do hold forth things more clearly than we, it was our grief we did not hold it ſo clearly as he did, and upon thoſe grounds that you have heard.

Mr. Coddington. What wrong was that to ſay that you were not able miniſters of the new teſtament or that you were like the apoſtles—methinks the compariſon is very good.

Gov. Well, you remember that ſhe ſaid but now that ſhe ſhould be delivered from this calamity.

Mr. Cotton. I remember ſhe ſaid ſhe ſhould be delivered by God's providence, whether now or at another time ſhe knew not.

Mr. Peters. I profeſs I thought Mr. Cotton would never have took her part.

Mr. Stoughton. I ſay now this teſtimony doth convince me in the thing, and I am fully ſatisfied the words were pernicious, and the frame of her ſpirit doth hold forth the ſame.

Gov. The court hath already declared themſelves ſatisfied concerning the things you hear, and concerning the troubleſomneſs of her ſpirit and the danger of her courſe among us, which is not to be ſuffered. Therefore

fore if it be the mind of the court that Mrs. Hutchinſon for theſe things that appear before us is unfit for our ſociety, and if it be the mind of the court that ſhe ſhall be baniſhed out of our liberties and impriſoned till ſhe be ſent away, let them hold up their hands.

All but three.

Thoſe that are contrary minded hold up yours.

Mr. Coddington and Mr. Colborn, only.

Mr. Jenniſon.* I cannot hold up my hand one way or the other, and I ſhall give my reaſon if the court require it.

Gov. Mrs. Hutchinſon, the ſentence of the court you hear is that you are baniſhed from out of our juriſdiction as being a woman not fit for our ſociety, and are to be impriſoned till the court ſhall ſend you away.

Mrs. H. I deſire to know wherefore I am baniſhed?

Gov. Say no more, the court knows wherefore and is ſatisfied.

* A deputy I ſuppoſe of Ipſwich.

INDEX.

A.

ACADIANS, their ſufferings, p. 146, vol. ii. p. 97.
Acadie, bickering with the French there, 127.
Acts of Parliament, how far allowed to be obligatory, 322.
Acts of trade, not obſerved, 269.
Addington Iſaac, ſecretary, 414. His death, ii. 212.
Addreſs to K. Charles the ſecond, moved for without ſucceſs, 210. Agreed to, 211. To K. Charles the firſt, 507. To the parliament, 516. To Oliver Cromwell, 523. To K. Charles the ſecond, 537.
Admiralty, judge of, firſt appointed, ii. 80.
Adultery, female, not male, capital, 441. On either part ground for divorce a vinculo, 445.
Agawam, Indian name of Ipſwich, 28. Of Springfield, 98.
Agents, Weld, Peters and Hibbins, 98. Edward Winſlow, 149. John Leveret, 190. Bradſtreet and Norton, 219. Stoughton and Bulkley, 312. Dudley and Richards, 334. Mather, 366. Aſhurſt, Cooke, Mather and Oakes, 392. Conſtantine Phips, ii. 85. Wait Winthrop, ii. 129. Sir Wm. Aſhurſt, ii. 186. Jeremiah Dummer, ii. 187. Anthony Sanderſon, ii. 292. E. Cooke, ii. 302. Francis Wilks, ii. 353. Jonathan Belcher, ii. 354. Chriſtopher Kilby, ii. 392. William Bollan, ii. 436. Remarks upom the agency, ii. 132.
Alden, Capt. John, accuſed of witchcraft and impriſoned, ii. 48.
Alexander, Sir William, ſells Nova Scotia to the French, 28.
Allen, ſecretary of Connecticut, ii. 60.
Andover, troubles there, ii. 42, 48,
Andros, Sir Edmund, governor of New York, 324. Of Maſſachuſets, and his arrival and mild beginning of adminiſtration, 353. Grows more arbitrary, 354. Liſt of his council, 354. ſuſpected without grounds of being a papiſt, 355. Other groundleſs jealouſies, 370. A kind general, 371. Governor from Delaware to Nova Scotia, 371. Seized and confined, 373. Demands his releaſe, 387. Ordered to England, 391. Eſcapes from the caſtle and retaken, 392. Made governor of Virginia, 395. Death, ii. 208.
Angleſey, Lord, his letter to governor Leverett, 309.
Antinomianiſm, riſe and progreſs, 55 to 75.

Appleton, Mr. an aſſiſtant, impriſoned by Sir Ed. Andros, 365.
Articles of war for New-England forces, 297.
Aſhurſt family, friends to New-England, 389. Sir Henry appears for the colony, 389. His death, ii. 132. Sir William choſen agent, ii. 186.
Aſſembly of divines at Weſtminſter invite Mr. Cotton, &c. to ſit with them, 115.
Aſſiſtants contend with deputies, 35, 143. Vote to ſurrender the charter, 338.

B.

BANK, private, ii. 206, 392.
Baptiſts perſecuted, 226 to 228.
Baxter, George, an arbitrator between Engliſh and Dutch, 159.
Belcher, Jonathan, agent, ii. 354. Governor, 367. Arrives, 369. Removed, judged and retaliated, 375. Oppoſes the land bank, 396. Falſely charged, 397. Diſplaced, 399.
Bellamont, Lord, governor, ii. 87. Arrives at New-York, 108. At Boſton, 112. His character, 112 to 116. Death, 121.
Bellingham, Richard, arrives, 41. Deputy governor, 43. Governor, 97. Ordered to England to anſwer, 253. Governor, 258, 269. Dies, 269.
Bermudas charter vacated, 336.
Bigotry in England ſettled America, 3. Prevails in N. England, 189.
Bills of credit firſt iſſued, 402. Increaſed, ii. 208, 245, 335, 380, 403. Aboliſhed, 436.
Blaxton, Mr. an epiſcopalian, 20.
Bollan, William, his great ſervices, ii. 436.
Bomazeen, a noted Indian chief, ii. 87, 164. Killed, 311.
Borland, John, his trial, ii. 154.
Boſton firſt called Trimontaine, 21. Inhabitants favor Mr. Vane and ſlight Mr. Winthrop, 62. Sixty of them diſarmed, 74. Impowered to try cauſes, 175, Great tumult there, ii. 430.
Bounds of the firſt charter, 8. Of the ſecond, ii. 10.
Boyle, Robert, governor of corporation for propagating goſpel, 165. Dies, 363.
Boylſtone, Zabdiel, promotes inoculation in Boſton, ii. 273.
Bradford, William, governor of Plimouth, his death, 206.
Bradford, Major, account of Indian fight, 300.
Bradſtreet, Simon, 18. Agent to England, 219. Governor, 323. Of the moderate party, 331. Refuſes to act under Dudley, 351. Vindicates the titles to lands, 360. Governor or preſident, 382. Reſigns to Phips, ii. 13. Death and character, 105.
Brenton, Jahleel, controverſy with Sir Wm. Phips, ii. 75.
Brereton, Sir William, of the New-England company, 18.

Bridges,

Bridges, Robert, an aſſiſtant, 149.
Bridges, John, ſurveyor of woods, ii. 223.
Brown, John and Samuel, churchmen, and therefore ſent back to England, 12.
Brook, Lord, 42.
Bulkley, Peter, agent, 312.
Bullivant, one of Andros's juſtices, ſeized, 374. His reply to lord Bellamont, ii. 113.
Burgeſs, William, firſt ſecretary, 10.
Burnet, William, governor, ii. 325. Arrives, 332. Controverſy with the houſe, 333 to 366. Death, 364.
Burrill, John, his character, ii. 234.

C.

CAMBRIDGE petition to the King, 367.
Canada expedition propoſed, 256, 271.—ii. 100. Unſucceſsful, 190 to 198. 398 to 401.
Canonicus, Naraganſet ſachem, 138.
Candy, a negro witch, ii. 33.
Cape Ann, fiſhery there in 1624, 7.
Cape Breton expedition, ii. 405 to 423.
Cape Fear, contribution for, 260.
Carr, Sir Robert, commiſſioner, 230. Indiſcrete, 249.
Carrier, Sarah, a witch child, ii. 44.
Cartwright, George, commiſſioner, 230.
Cary, Mrs. impriſoned and eſcapes, ii. 47.
Caſco fort taken, 397.
Caſtine, Baron, 364. ii. 93.
Cattle, number in 1640, 93.
Charles II. news of his reſtoration, 210. Motion to addreſs him fails, id. Proclaimed in Boſton, 217. No man to drink his health, 219. Grants his pardon and confirms the charter, 221. A preſent made him, 257. Letter to Plimouth, 546. To Maſſachuſets, 547.
Charleſtown church ſettled, 22.
Charter firſt paſſes the ſeals, 9. Removed to New-England, 13. Proceſs againſt it, 86 to 89. Saved by change of times in England, 88. Aſſiſtants vote to ſurrender it, 338. Judgment or decree againſt it, 340. Purchaſed, ii. 1.
Charter ſecond, drawn by Blaithwait, 411.
Charlevoix, erroneous, ii. 73, 82, 88, 261, 309.
Chauncy, Charles, preſident, 174. Death, 259.
Cheever, Ezekiel, his death, ii. 175.
Child, Doctor, concerned in a faction, 145.
Chriſtianity preached to Indians, 161 to 169.

Church, Benjamin, fortunate, 306. His actions in eaſtern parts, ii. 69. Expedition to Chignecto, 95. Superſeded and offended, 99. Expedition, 144. His Death, 223.
Church of England firſt ſet up, 355.
Church government, ſum of it, 419.
Chubb, Capt. ſurrenders Pemaquid, ii, 93. Cruelty, 94. Killed, 106.
Civil ſubjection, notions upon it, 251.
Clark, Thomas, proprietor of Kenebec, 346.
Clark, Nathaniel, a time ſerver, 360. Seized and ſecured, 383.
Clark, John, ſpeaker, ii. 249.
Clams received by the firſt planters with pious gratitude, 23.
Coin of New-England in 1652, 177, 178.
Coddington, William, 18, 61.
Collectors of cuſtoms firſt eſtabliſhed ii. 80.
College, Harvard, 110, 171, 175.
Colonies form their own legiſlature, 95.
Colonies, ſtate of in Cromwell's time, 194.
Commerce free, propoſed from Canada, 166.
Commerce, flouriſhing ſtate of, 189.
Commiſſioners from King Charles, 230 to 256. Commiſſion, 535.
Commiſſioners of united colonies, 133, 138, 153, 165, 169, 180, 185.
Comet, remarkable, 226, 348.
Connecticut their firſt combination, 99. Controverſy about duties, 153 to 156. Forces ſucceſsful, 305, 306. Surrender their charter, 339. Revolution there, 384. Re-aſſuming their charter, 406. Line ſettled, ii. 202.
Convers, Captain, ii. 67, 73.
Cooke, George, a Maſſachuſets captain, afterwards a colonel in Ireland, 120.
Cooke, Eliſha, zealous for liberty, 331. Aſſiſtant, 341. Agent, 393. For old charter or none, 408. Negatived, ii. 70. Death, 211.
Cooke, Eliſha, begins the controverſy with governor Shute, ii. 221. Choſen ſpeaker and negatived, 233. Agent, 302. Proceedings in England, 319 to 321. Returns, 324.
Conant, Roger, at Cape Ann, 7. Salem, 8.
Coram, Thomas, projector, ii. 224.
Corn, Indian, 10s. ſterling the buſhel, 24. Mean diſtaſteful diet to Europeans, 26.
Cornbury, Lord, perſecutes diſſenters, ii. 123.
Corporation for propagating goſpel, 160, 164. Inquired into by A. Sancroft, 363.
Cory, Giles, preſſed to death, ii. 59.
Council for ſafety of the people, 381.
Covenant, Scotch, propoſed, 146.
Counties firſt made, 117.

Council under Dudley, 350. Andros, 354.
Council of Plimouth conſtituted, 5. Make a grant to Weſton, 5. To Robert Gorges, 6. Divide New-England in 12 provinces, 50.
Council of Maſſachuſets province, their powers by charter, ii. 8, 9. Nominate civil officers, 13. The firſt councellors, 14. The firſt election, 70. Aſſume government, 125, 210.
Court of aſſiſtants at Charleſtown, 25, General, 25.
Courſe of judicial proceedings, 449.
Cranfield, governor of New-Hampſhire, 337.
Cotton, John, arrives, 34. Engaged in controverſy, 55 to 75. Invited to the aſſembly of divines, 115. Death, 179.
Cows, milch, £ 25 per head, 27.
Cradock, Matthew, firſt governor, 9. Account of him, 18. Intended to ſettle at Medford, 22.
Cromwell, Oliver, deſigned for New-England, 42. Writes to Maſſachuſets to join againſt the Dutch, 182. To remove to Ireland, 190. Urges their removal to Jamaica, 191. His converſation with Wheelwright, 193. Sees the importance of the colonies, 195.
Cromwell, Richard, not proclaimed when ordered, 209.
Crown law taken from Moſes, 439.
Culpeper, Lord, at Boſton, 332.

D.

DEANE, Francis, accuſed of witchcraft, and eſcapes, ii. 38.
D'Anville, Duke of, his expedition, ii. 424.
Danforth, Thomas, aſſiſtant, 189. Deputy governor, 323. Preſident of Main, 329. Zealous, 331. In terror, 380. Treats with the Indians, 404.
Davenport, John, comes over, 82. Invited to Weſtminſter aſſembly, 115. Conceals Whaley and Goffe, 215. Death, 260.
Davenport, Captain, killed at the caſtle, 253.
D'Aulney, a French governor at Penobſcot, bickerings with him, 128 to 134.
Davis Silvanus, action at Kenebeck, 346. Councellor, ii. 14.
Deeds regiſtered, 455.
Deerfield deſtroyed by the French, ii. 137.
Deniſon, George, great ſucceſs, 305.
Deputies and aſſiſtants contention, 35, 143.
Dixwell, Colonel, one of King Charles's judges, known by the name of J. Davids, 217.
Dod, John, charges New-England puritans with ſeperation, 81.
Douglaſs, erroneous, 208, 314, 355, 358, 474. ii. 25, 50, 80.
Downing, Sir George, anecdotes, 111.
Dudley, Thomas, 12. Account of him, 14. Deputy governor, 17. No friend to toleration, 75. Governor, 35, 144. Death and character, 183.

Dudley, Joſeph, member for Roxbury, 287. His account of Narraganſet fight, 302. Agent, 334. Preſident, 340. Seized and impriſoned, 374. Suffers much, 391. Sent to England, 393. Chief juſtice of New-York, 395. Sollicits for the government, ii. 85. Member of parliament, 86. Governor, 124. Negatives five councellors, 136. Severely cenſured, 146, 147, 152, 157, 162. In danger in a ſtorm, 148. Gains friends, 188. Superſeded by the council, 210. By Col. Tailer, 212. Character, 213.
Dudley, Paul, offends the houſe, ii. 256.
Dummer, Richard, firſt arrives, 41. Aſſiſtant, 43. Left out, 61.
Dummer, Shubael, killed at York, 405.
Dummer, Jeremiah, Agent, ii. 187. Raiſes a bubble in 1720, 244. Slighted by the houſe, 255.
Dummer, William, lieut. governor, ii. 291. Reprimanded, 322. Retires and his character, 368.
Dunſtan, Hannah, an heroine, ii. 106.
Dunſtar, Henry, college preſident, 174.
Dutch bribe Engliſh pilot to go to Cape-Cod. 5. Settle bounds with New-Haven, 157. Suſpected of plot againſt the Engliſh, 175 to 185. Surrender Manhados, 231.

E.

EARTHQUAKE, memorable, 90. ii. 326.
Eaton, Nath. firſt maſter of Harvard college, 90. Diſplaced 91.
Eaton, Theophilus, account of him, 17. Comes to N. England, 81.
Elders conſulted by general court, 181. 223. 253. 311. 337. Jealous of power of the magiſtrate, 270 to 274. Prophecy in ſackcloth, 274. Concerned in all matters of moment, 424.
Election contentious, 61. 97.
Eliot, John, Indian apoſtle, 162 to 169. Recants his opinions againſt monarchy, 212.
Eliot, John, capt. gallant action, 295.
Elizabeth iſlands, ſo called by Goſnold, 1.
Embarkation, firſt, for Maſſachuſets-Bay, 9. Second, 10. Third and principal with the chartar, 19.
Endicot, John, a patentee, 8. Goes to Naumkeak or Salem, ſub-governor, 9. His character, 17. Cuts the croſs out of the king's colours and cenſured, 38. Sent againſt the Pequots without ſucceſs and reflected on, 58. Governor, 134. 151, 172. 188. His death, 235.
Errors condemned in the ſynod, 75.
Eſſex county in 1643, 117.
Excommunication eſtabliſhed, 423.

Expedition,

Expedition, French, deſigned againſt Boſton, 102. ii. 424. Againſt Canada, ii. 190. 398. Againſt Louiſburgh, ii. 405.
Expence of firſt tranſportation computed £. 192,000 ſterl. 93.

F.

Faction ſuppreſſed, 145 to 149.
Faſt turned to thanksgiving, 23, 142.
Fenwick, George, agent for Lord Say, Brooke, &c. 100. Leaves a legacy to New-England, 101.
Fire of London, collection in the colony for ſufferers, 257. In Boſton in 1676 and 1679, 34. In 1711, ii. 200.
Flint, Thomas, aſſiſtant, 110.
Foſter, John, an active revolutioner, 377. His death, ii. 190.
Foxcroft, juſtice, impriſons Winſlow, 373.
Frarey, deacon, fined, 356.
Freemen, none admitted, except church members, 26.
French drove from Acadie, 28. Drive the Engliſh from Penobſcot, 30. Immediately after peace, take meaſures for war, ii. 110.
French proteſtants aſk leave to ſettle, 224.
Frontenac, governor of Canada, appointed to command forces againſt New-England, ii, 101.

G.

Gardner, Sir Chriſtopher, knight of the Sepulchre, a great enemy to the colony, 25.
General court firſt conſiſting of houſe repreſentatives &c. 35. Offended with Boſton and meet at Cambridge, 60. Paſs an order of neutrality in the war between king & parliament, 136. Reſtrain churches in choice of miniſters, 188. Their proceedings with commiſſioners from King Charles the ſecond, 250, to 255. Amplify their juriſdiction, 260.
General court interpoſe in the diſputes of Boſton church 270. Acknowledge their error 273. Meſſage upon diſſolution of the government 342. Declaration of right, 529.
George, captain of a king's ſhip ſeized 374.
George the firſt proclaimed with unuſual marks of joy, ii. 209.
Gibbons, Major general of forces, 137. Aſſiſtant, 160. Anecdote, 160.
Goffe, colonel, one of king Charles judges, 213, to 219. Letter from his wife, 532.
Goffe, Thomas, firſt deputy governor, 9.
Goodwin, John, his children bewitched, ii. 18.
Gookins, Daniel, arrives, 136. Zealous, 331.
Gorges, Robert, his grant from colony of Plimouth, 6. Sells it to Sir William Brierton, 6.

Gorges, Sir Ferdinando, ſpent £. 20,000 ſettling colonies, 3. A moſt active member of the council of Plimouth, 5. Joins with Maſon in endeavours to hurt the Maſſachuſets, 48.
Gorges, Thomas, mayor of Acamenticus alias York, 176.
Gorton, Samuel, founder of a ſect, 117. A brief hiſtory of him, to 124. His defence, 549.
Goſnold Bartholomew firſt diſcovered New-England, 1.
Governor expected from England 31, 48, 225. Old charter-governor prays in publick upon a faſt day, 295.

H.

HADLEY men headed by Goffe the regicide, 219.
Hair, long, aſſociation againſt it, 151. Ranked among the ſins of the land, 320.
Hale, Sir Matthew's, witch trials, a precedent for N. England, ii. 22.
Hale, John, his wife accuſed, &c. ii. 60.
Hampden, John, intended for New-England, 42.
Hampden, Mr. anecdote, 332.
Hamond, major, taken priſoner, ii. 89.
Hampton ſettled, 69.
Hampſhire county eſtabliſhed, 225.
Harlakenden, Mr. arrives, 41. Dies, 91.
Harley, Mr. tradition of him, ii. 122.
Harvard college founded, 90, 91. 110, 171. Growth, 171 to 175.
Harman, Capt. expedition, ii. 309.
Haſlerigg, Sir Arthur, intended for New-England, 42.
Haverill deſtroyed, ii. 173.
Haugh, Mr. aſſiſtant, 43. Slighted, 61.
Hawthorne, John, examines witches, ii. 30.
Hawthorne, William, ſpeaker, 160. Sent for to anſwer in England, 253.
Haynes, John, arrives, 34. Aſſiſtant, 35. Governor, 43. Goes to Connecticut, 53.
Hereditary honours, plan for them, 490.
Higginſon, Francis, firſt miniſter of Salem, 10.
Higginſon, John, ordained, 325. Death, ii. 176.
Higginſon, Nathanael, ii. 160.
High treaſon, firſt law againſt it, 323.
Hiacoomes, an Indian convert, 161.
Hibbins, William, agent, 98. Aſſiſtant, 127.
Hibbins, Ann, executed, 187.
Hinkley, Thomas, governor of Plimouth, petitions K. James, 368. Death, ii. 154.
Hoar, Leonard, preſident, 174.
Hobby, Sir Charles, ſollicits for the government, ii. 153. Death, 271.

Holyoke, Edward, preſident, 175.
Hooke, counſellor, his opinion upon the Maſſachuſets charter, 410.
Hooker, Thomas, arrives, 34. Coldneſs between Mr. Cotton and him, 43. Removes to Hartford, 45. Invited to the aſſembly at Weſtminſter, 115.
Hopkins, governor of Connecticut, 82.
Hudibras, the author ridicules the pious New-Englanders for the deeds of a profligate crew, 6.
Houſe of commons vote the ſurrender of plantation charters illegal, &c. 389. Bill paſſed to reſtore N. England charters, 390.
Houſe of repreſentatives offended with governor Shute for negativing their ſpeaker, ii. 242. Inſert themſelves in diſpute about pine trees, 246. With-hold part of the governor's ſalary, 243. Adjourn for ſix days, 257. Take the direction of the war, 269. Remarks upon their conduct, 288. Order lieutenant governor's ſeal to be defaced, 298. Accept an explanatory charter, 321.
Hubbard, William, ii. 147.
Hubbard, Nathaniel, ii. 147, 403.
Hutchinſon, William, comes to New-England, 55.
Hutchinſon, Ann, comes from Alford to New-England, 55. Treated with great reſpect, but watched by Mr. Winthrop, id. The principal women attend her lectures, 56. She condemns the miniſters for being under a covenant of works, *id.* Mr. Cotton countenances her opinions, 57. The colony in a flame by reaſon of them, *id.* Loſt her ſupport when Mr. Vane removed, 66. Called to trial, forſaken by Mr. Cotton, and her tragical fate, 70 to 73.
Hutchinſon, Edward, baniſhed, 73. Sent to treat with Nipmug Indians, 291. Ambuſhed and killed, 292.
Hutchinſon, Eliſha, a zealous member, 231. Aſſiſtant, 341. Joins with Mather in a remonſtrance, 367. Treats with Indians, 404. Commander in chief of forces, ii. 67, 168. Dies, 223.
Hutchinſon, Eliakim, his death, ii. 223.
Hutchinſon, William, his character, ii. 249.
Hutchinſon, Tho. arreſts Kidd, i. 119. Death & character, 391.

J.

JACOBS, Margaret, accuſes herſelf and grandfather of witchcraft and then recants, ii. 38.
James the firſt grants all the continent from 34 to 45 degrees, 3. Refuſes to grant liberty of commerce, 4.
James the ſecond proclaimed in Boſton, 340.
Janſon, Sir Bryant, aſſiſtant, 16.

Iberville takes the Newport, Capt. Paxton, ii. 92. The fort at Pemaquid, ii. 93.
Idolatry, Indian, learnt from the French, 472.
Jermayne, Sir Thomas, ſpeaks in favor of the colony, 33.
Increaſe of the colonies, remarks, ii. 201.
Indians, no idea of what the Engliſh intend by ſubjects, 276. Their way of fighting muſt ſucceed when they exceed greatly in numbers, 295. Hardly uſed, 296. Captives made ſlaves, 307. Their number in Plimouth colony, 349. The ſeveral nations, 456. The mohawks or cannibals, 457 Cuſtoms, manners, language, &c. 461 to 479. The French made them idolaters, 472. Said to call the ſeven ſtars the bear, 478. Alarm the colonies, ii. 120. Deſtroy Deerfield, 137. Haverhill, 173. Treacherous, 178. Attempts to goſpelize them, 161. Their towns, 167, 168.
Indians, Pequods, threaten war, 27, 58. War with them, 76 to 81.
Indians, Naraganſets, come to Boſton, 28. Treaty with them, 59. Plot againſt the Engliſh, 112. At war with Mohegins, 136.
Indians, Wompanoags, or Philip's Indians, war with them, &c. 275 to 310. Their firſt ſubjection to King James, 273.
Indians, Eaſtern, aſſault Ipſwich Indians, 27. Begin war, 307. Hoſtilities, 346 to 348, 364, 395, 404. Treaty of peace, ii. 73, 109, 201, 218, 317, 318. Hoſtilities, ii. 277, 302 to 305, 306 to 316.
Inoculation in Boſton, ii. 273.
Invaſion, French, threatned, ii. 101.
Jocelyn, his voyage to New-England, 267.
Johnſon, Iſaac, an aſſiſtant, 10. Reſolves to become a planter, 12. His family, eſtate, &c. 16. His lady daughter of Earl of Lincoln, 20. His death greatly lamented, 20.
Jones, Margaret, executed, 150
Ipſwich men fined and impriſoned by Sir Edmund Andros, 365.
Ireland claim an exemption from Britiſh acts of parliament, 323.
Judges dependent, ii 376.
Judicial proceedings, courſe of, 449.

K.

KENEBECK river, firſt entered by Europeans, 2. Indian ſpoils there, 346.
Kieft, a Dutch governor at Manhadoes, 158.
Kidd, the famous bucaneer, ſeized at Boſton, ii. 119.
Kilby Chriſtopher, repreſentative, ii. 392. Agent, *id.*
Kirk, Colonel, appointed governor of New-England, 341.
Knowles, Admiral, impreſs made by him at Boſton, ii. 430.

L.

LACONIA, an ideal province, 104. The province of Main ſo called, 267.
Lancaſter burnt by the enemy, 302.

Land bank, ii. 206, 392.
Lake, Capt. Thomas, killed, 346.
La Tour, French governor, 127 to 134.
Laud, archbiſhop, jealous of New-England, 86. Employs Burdett to give intelligence, id. Firſt commiſſioner for regulating plantations, 502.
Laws framed from the judicial of Moſes, 439. Provincial, ii. 63 to 66.
Lawſon, Roger, tried for ſupplying the French and Indian enemies, ii. 154.
Lechford, Thomas, a tractious attorney, 451.
Ledea, William, a quaker, hanged, 202.
Leete, William, deputy governor of Connecticut, favors Whaley and Goffe, 216.
Legiſlature in general formed by the colonies, 95.
Leigh, Lord, accompanies Mr. Vane to England, 63.
Leverett, Thomas, ruling elder, 34.
Leverett, John, ſent to Naraganſets to treat, 112. Commiſſioner from Oliver Cromwell, 183. Deputy governor, 269. Governor, 270. His death, 323.
Leverett, John, college preſident, 175.
Leyden, puritans or ſeperatiſts there, 3.
Lieutenant governor conſidered as a councellor though not elected, ii. 70.
Long Iſland in New York, firſt peopled from Lyn in Maſſachuſets, 89.
Lothrop, Capt. and company defeated, 294.
Lovewell, Capt. ii. 314.
Louiſburgh, expedition againſt it, ii. 405 to 423.
Ludlow, Roger, deputy governor, 35. Removes to Connecticut, 43, 98.
Lyford, a miniſter of New-Plimouth, 7.
Lyman, Caleb, his exploit, ii. 146.

M.

MAIN, province of, deſerted by Gorges the proprietor, the people put themſelves under the Maſſachuſets, 176. Made a county, *id.* Purchaſed, 326. Made part of Maſſachuſets province, ii. 5.
Manhados (New-York) ſurrenders to Col. Nichols, &c. 231.
Maquas and the reſt of the 5 nations treaty, 348.
Marblehead, rage of women there, 307.
Martha's vineyard firſt ſo called, 1.
Maſon, Capt. John, ſpent 20,000 l. ſettling colonies, 3. Moleſts the Maſſachuſets, 48. His ſeveral alledged grants, 313.
Maſon, John, commands Connecticut forces againſt Pequods, 76. Chief ſhare in Pequod war, 77, 78.

Maſſaſoit, Indian chief, chuſes King James for his ſovereign rather than his ally, 275. An enemy to chriſtianity, 276.
Maſts for royal navy, ii. 253.
Maſher, Richard, arrives, 41. His death, 259.
Mather, Increaſe, college preſident, 174. Sued by Randolph for defamation, 366. Goes ſecretly to England to ſollicit for the colony, 366. A faithful agent, 389. Saves New-Plimouth from being annexed to New-York, 406. Not ſatisfied with the new charter, 409. Has the ſole nomination of the firſt governor and council, 413. Arrives at Boſton, 416. His death, ii. 305
Mather, Cotton, drew the manifeſto upon the New-England revolution, 381. Intercedes with his father for governor Stoughton, 414. The firſt mover in favor of inoculation, ii. 273.
Matthews, a miniſter, fined for preaching without licence, 423.
Maverick, Samuel, at Noddles Iſland, 21. Obnoxious for ſtirring up a faction, 145. Commiſſioner from King Charles II. 230. Delivers a letter from King Charles to the colony, 253.
Mavoſhen, the Indian name for the eaſtern country, 1.
Mayhew, Thomas, inſtructs the Indians, 161. Purchaſe of Martha's vineyard, Nantucket and Elizabeth iſlands, 161.
Medfield burnt, 303.
Miantinomo, Naraganſet chief, comes to Boſton, 28. Plots againſt the Engliſh, 112, 113. Taken priſoner, 137. Put to death, 138.
Middleſex county, 117.
Militia in the year 1665, 244.
Miniſtry, poorly ſupported, 274.
Mitchel, Jonathan, friend to Whaley and Goffe, 218. Oppoſes the ſending over the magiſtrates upon King Charles's order, 253. A licenſer of the preſs, 259. Death, 260.
Money granted by parliament brought over, ii. 177. 178.
Mortality among Indians, 35.
Morton, an attorney at Mount Wollaſton, 8. Seized and ſent to England, *id.* Complains of the colony, 31. Fined £. 100. 32.
Mount Hope and the country round granted to N. Plimouth, 345.
Moulton, Col. behaves well at Norridgewock, ii. 309.

N.

NANTASKET firſt began, 7.
Naraganſet Indians, treaty, 59. Plotting, 112. At war with the Mohegins, 136. Further quarrels, 155. 186. Treaty, 289. Break their treaty, 297. Famous fight, 299.
Naumkeak (Salem) ſettlement began there, 9.
Nelſon, John, a revolutioner, 376. His friendly intelligence, 378.
New-England diſcovered, 1. Firſt ſo called, 2. Firſt colony there, 2. Diviſion into 12 provinces, 50.

Newfoundland taken by the French, ii. 100.
New-Hampſhire ſettled, 102 to 110. Three diſtinct governments, 108. Swallowed up by Maſſachuſets, 110. Of the ſame diſpoſition with Maſſachuſets, 268. Grateful return, 328. Controverſy about it, 312 to 318. Boundary line ſettled, ii. 382.
New-Haven firſt planted, 82 to 86. Settle bounds with the Dutch, 157. Apply to Cromwell, 182.
New-Plimouth colony begins, 5. Trade at Penobſcot, 28. Brief ſtate of affairs, 206 to 208. Boundary line ſettled, 208, 229. Conduct approved by King Charles the ſecond's commiſſioners, 233. Deſirous of chaſtiſing the Indians, 286. Further ſtate of affairs there, 343 to 346. Revolution there, 383. Annexed to New-York, 405. Recalled and annexed to Maſſachuſets, 406 A ſummary of their affairs, ii. 449 to 481.
New-Somerſetſhire, the ſame with the province of Main, 267.
New-York, revolution there, 384. Neutrality with French, ii. 140.
Nichols, K. Charles's commiſſioner, 230. Diſcreet behaviour, 250.
Nicholſon, Francis, 384. ii. 176. 178, 180. 190.
Nocake, for Nuichicke, Indian food, 465.
Norfolk county, 117.
Norridgewock, ſucceſsful expedition there, ii. 309.
Norton, John, arrives, 41. Diſapproves Mrs. Hibbins's execution, 188. In favor of addreſs to K. Charles the ſecond, 210. Agent to England, 219. His death and quakers remark, 223.
Notaries public, firſt choſen, ii. 238.
Nova-Scotia made part of the Maſſachuſets province, ii. 5. Affairs there, 127 to 134. ii. 90, 97. 189 to 186.
Nowell, Increaſe, his character, 17. Settles at Charleſtown, 22.
Nowell, Samuel, joins with Mather in England, 367.
Noyes, Oliver, his death, ii. 249.

O.

OAKES, Thomas, agent, 393. Aſſiſtant, *id.*
Oakes, Urian, preſident of the college, 174.
Oldham, John, ſtirs up a faction in New-Plimouth, 7. A grantee from the council of Plimouth, 7.
Oſgood, Mary, examination, ii. 31. Recantation, 41. Teſtimonial, 42.
Owen, John, invited to New-England, 226.

P.

PAPER money firſt made, 402.
Parliament, memorable act or ordinance, 114.
Parris, Samuel, witchcraft begins in his family, ii. 25. Too officious in proſecutions, 26.

Parſons, Hugh, tried for witchcraft, 179.
Paſſengers the firſt ten years, 21200, 93.
Patrick, Captain in Pequod war, 76.
Patch, Eliz. her death, ii. 216.
Paxton, Capt. taken in the Newport man of war, ii. 92.
Pierce, Capt. and 50 men killed, 304.
Pelham, Herbert, aſſiſtant, 144. Commiſſioner, 145. In England, 163.
Pemaquid, a fort there, ii. 68. Taken 92. Poſſeſſed by Dunbar, ii. 379.
Penn, Elder, death and character, 269.
Penobſcot rifled, 29. Taken, 46. By Cromwell, 183. Reſtored, 258. Taken by the Dutch, 311. By Sir William Phips, 397.
Pequods kill Stone, 45. Protect the murderers of the Engliſh, 58. Urge the Naraganſets to war, 59. The tribe deſtroyed, 76 to 81.
Peters, Hugh, one of the firſt planters, 9. Arrival, 41. Agent, and his tragical end, 98. Oppoſes collection for the Indians, 165.
Philip, King, or Indian Sachem, ſubjects himſelf and nation, 279. 282. Raſhly begins a war, 284. In imminent danger, 291. Killed 306.
Phips, Sir William, birth, &c. 396. Takes Port-Royal, 397. Ill ſucceſs at Quebec, 399 to 401. Sollicits a 2d expedition, 403. Governor, 413. Arrives, 415. Public entry, ii. 12. Encourages proſecution of witches, 23. A warrant from his lady, 61. Quarrels with collector and captain of a man of war, 75. Ordered to England, 78. His death, 85.
Phips, Conſtantine, agent, ii. 85. Drew the bill for reverſing Leiſler's attainder, 86. Removed from agency, 186.
Phips, Spencer, lieutenant governor, ii. 81. 581
Piſcataqua ſubmit to Maſſachuſets, 101. A ſummary of ſettlements, 102.
Plaiſted, Col. his ſon taken priſoner the day he was married, ii. 200.
Planters, firſt, whether churchmen, 417. Became ſeparatiſts, 418.
Platform, ſum of it, 431.
Popham, Sir John, a promoter of colonies, 2. His brother preſident of Sagadahoc colony, 2.
Porter, John, ſentenced to die for diſobedience to parents, 239.
Portroyal taken by Phips, 397. Attempted, ii. 165. 171. Taken, 182.
Portſmouth, N. Hampſhire, their generous donation to Harvard college, 268.
Prince of Orange, news of his landing in England, 372. His declaration called a treaſonable libel, 373.
Prince of Wales, his birth celebrated, 372.
Printing firſt ſet up, 257.
Prodigies reported, 126. 127.

Providence, iſland, colony, 94 to 97.
Province of Maſſachuſets bay bounds, ii. 7.
Puritan miniſters in England did not approve of ſeparation, 81. Come over in Charles the ſecond's reign, 225.
Pym, John, deſigned to New-England, 42. Intimate with the firſt planters, ii. 2.
Pynchon, William, aſſiſtant, 17. Settles at Roxbury, 22. Springfield, 98.

Q.

QUAKERS perſecuted, 196 to 205. 320.
Quinnypiack, afterwards New-haven, 63.
Quittamug, John, a very old Indian, ii, 305.
Quo warranto againſt the charter, 338, 340.

R.

RAINSFORD, brother to Lord chief juſtice, a ruling elder, 260.
Ralle, father, ii, 241, 262. His character, 263. Killed, 309.
Randolph, Edward, arrives, 311. Made 8 voyages in 9 years, 329. Appointed collector, 330. Quarrels with Dudley, 351. Boaſts that he is as arbitrary as the great Turk, 369. Voted a capital offender, ii, 5.
Ratcliffe, Mr. the firſt epiſcopal miniſter, 355.
Read, John, his character, ii, 376.
Regiſtry of deeds, 453.
Repreſentatives firſt choſen, 35.
Revell, John, aſſiſtant, 17.
Revolution in New-England before any certain news from England, 373. Circumſtantial account of it, 374 to 377. Perſons concerned afraid of the conſequence, 380.
Rhode-Iſland ſettled by refugees from Maſſachuſets, 72, 73. Refuſed to be admitted into union with the other colonies, 124. Surrender their charter, 339. Re-aſſume it, 407. Line ſettled, ii, 400.
Robinſon, John, miniſter, ii, 454. Andrew, his exploit, ii, 295.
Robinſon, William, a quaker, executed, 200.
Rochellers apply for leave to ſettle in New-England, 224.
Rogers, John, college preſident, 174.
Roſſiter, Edward, aſſiſtant, 17.
Roſwell, Sir Henry, patentee, 8.
Rowley ſettled, 89.
Rowſe, William, tried and fined, ii. 152.
Ruling elders, 426.
Ruſſell, hon. George, at Boſton, 332.
Ruſſell, Richard, an aſſiſtant, 189.
Ruſſell, James, an aſſiſtant, ii. 14.

S.

SAGADAHOC ſettled, 2.
Saint Chriſtophers, contribution for relief, 257.
Saint Francois ſettled by eaſtern Indians, ii. 142.
Saltonſtall, Sir Richard, patentee, 9, 15. Settles at Watertown, returns to England, 24.
Saltonſtall, Richard, aſſiſtant, 61. Makes a vow, 94. Gives Whaley and Goffe fifty pounds, 217.
Saltonſtall, Nathaniel, 351. ii. 14.
Saliſbury ſettled, 89.
Salary fixed, controverſy, ii. 333.
Salem, court removed there, ii. 350.
Sanderſon, Anthony, agent, ii. 292.
Sanford, Major, takes Sir E. Andros and ſends him to Boſton, 392.
Saſſacus, Pequod ſachem, 80.
Savage, Thomas, baniſhed, 73. Commands forces, 288.
Say and Seale, Lord, intended to New-England, 42. Urges removal to the Bahamas, 94. Kind letter to the colony, 220.
Saybrooke fort, 47. Burnt, 155.
Scott, Patience, a quaker child, 199.
Schuyler, Col. friendly, ii. 142. 163. 172.
Sewall, Samuel, 359. ii. 61, 291.
Sedgewick, Major, commiſſioner from Cromwell, 183. Takes St. John's, Penobſcot, &c. *id.*
Sharp, Samuel, aſſiſtant, 15.
Sharp, Thomas, 17.
Shawmutt, 21.
Sheaffe, Sampſon, his letter about Canada expedition, ii. 198.
Shepard, Thomas, arrives, 41. Dies, 151.
Ships, number of in 1665, 244.
Short, Capt. impriſoned, &c. 77.
Shrimpton, Col. writ of intruſion, 369.
Shirley, William, ſucceeds Belcher, ii. 399. Forms an expedition againſt Louiſburgh, 405. Retires to the caſtle, 439. Houſe of repreſentatives reſolve to ſtand by him, 433. Returns to town, 434.
Shute, Samuel, governor, ii. 215. Arrives, 217. Controverſy with houſe of repreſentatives, 231. Negatives the ſpeaker, 233. Diſſolves the court, 260. Leaves the province ſuddenly, 288. Exhibits articles againſt the houſe, 299. Succeeded by governor Burnet, 325.
Sickneſs the firſt winter, 19.
Skelton, Samuel, firſt miniſter of Salem, 10.
Small-pox among the Indians, 34. The Engliſh, ii. 273.
Smith, Ralph, ſeparatiſt, 10.
Soil, opinions about it, 477 to 486.
Somers, Sir John, for the colony, 394. Southcott,

Southcott, Thomas, a patentee, 8.
Speaker, diſpute about him, ii. 149.
Springfield called Agawam, 98. Burnt by the Indians, 295.
Stevenſon, Marmaduke, a quaker, hanged, 200.
Stillingfleet, Dr. his remark, 228.
Stone, Mr. arrives, 34. At Hartford, 99.
Stone, Capt. killed by Indians, 45.
Storm, remarkable, 53.
Stoughton, Iſrael, aſſiſtant, 61. Commands againſt Pequods, 76. His death, 144.
Stoughton, William, agent, 312. Proſecutes witches, ii. 23. Commander in chief, 81, 121. Death, 125. His character, 127.
Stuyveſant, Dutch governor, 158, 159.
Suffolk, county, 117.
Sunderland, lord, would not admit a houſe of repreſentatives, 367.
Subjection civil, notions of it, 251.
Sudbury ſettled, 89.
Symonds, Samuel, aſſiſtant, 117. Deputy governor, 270.
Synod, 67, 68, 69, 225, 324.

T.

TAILER, William, lieut. governor, ii. 200. 368. Dies, 381.
Temple, Sir Thomas, begs the lives of condemned quakers, 200. Recommended by N. Fiennes, 206.
Temple, Capt. Robert, commander of forces eaſtward, ii. 297.
Teſt, New-England, 431.
Thurloe ſends orders to proclaim Richard Cromwell, 209.
Tilton, Peter, a zealous deputy, 331.
Titles to lands queſtioned, 359.
Town, a fortified one projected, 23.
Trade, ſtate of it in 1639, 91. Flouriſhing, 189. In 1670, 269; In 1750, ii. 441.
Trees, reſerved by charter. ii. 253.

V.

VANE, Henry, arrives, 41. Governor, 53. Supported by Mr. Cotton, 53. Diſſembles, 54. Peculiar tenets, 57. Winthrop's intereſt too ſtrong for him, 61. Shews his reſentment, 62. Returns to England, 63. Character, 64 to 67.
Vaſſall, William, aſſiſtant, 17. Further account of him, 145.
Veils worn by Salem women, 430.
Vetch, Samuel, tried, ii. 154. Colonel of forces againſt Canada, 176. Governor of Nova-Scotia, 184.
Uncas, Mohegin ſachem, 136, 143.
Underhill, John, captain, 76. An enthuſiaſt, 77. Choſen governor of Exeter and Dover, 107.
Union of the colonies, 124 to 126.

W.

WADSWORTH, Benjamin, college preſident, ii. 175.
Wadſworth, Capt. killed and his company, 305.
Walker, Sir Hovenden's, expedition, ii. 190.
Walley, John, commands land forces againſt Canada, 401. Journal, 554.
Ward, Nath. ſimple cobler of Agawam, 120.
Warwick, Earl of, 7.
Warwick, Counteſs of, benefactor, 18.
Warren, Commodore, ii. 414. His teſtimony, 422.
Watts, Sarah, claims 26th part of Maſſachuſets colony, ii. 225.
Waſhburn, John, ſecretary, 10.
Weld, Thomas, agent, 98. Diſmiſſed, 149.
Wells, action there, 67.
Wequaſh, a chriſtian Indian, but betrays his countrymen, 77.
Weſt, ſecretary under Andros, 358.
Weſt, vice admiral, 6.
Weſtbrook, Colonel, ii. 294. 302.
Weſton's plantation, 5. Broke up and he caſt away, &c. 6.
Whaley the regicide, ſo called, 213.
Wharton, Lord, friend to New-England, 389.
Wheat firſt blaſted, 229.
Wheeler, Sir Francis's expedition, ii. 71.
Wheelwright, John, antinomian, 55. Baniſhed, 70. At Hampton and Saliſbury, 74. At Exeter, 106.
Whetcomb Simon, a patentee, 8.
White, counſellor, his opinion, 13.
White, John, encourages planters, 8.
White, Peregrine, firſt born child, his death, ii. 148.
White hills firſt explored, 114.
Whiting, Mr. a miniſter, killed, ii. 105.
Wiggins, Capt. aſſiſtant, 160.
Wilks, Francis, agent, ii. 353.
Willard, Joſiah, ſecretary, ii. 223.
Willard, Samuel, vice preſident of the college, 75.
Willard, Simon, commander of forces, 186.
Willett, Thomas, referree between the Engliſh and Dutch, 159.
Willoughby, Francis, aſſiſtant, 160. Deputy governor, 258. Death, 269.
Williams, Roger, makes diſturbance at Salem, 37. Baniſhed and removes to Providence, 38. Shelters Gorton, 117. Gives notice of plots among the Indians, 139.
Williams, John, miniſter of Deerfield, his captivity, 138.
William and Mary, their acceſſion moſt joyful news to New-England, 387.

Wilſon, John, miniſter, 22. His zeal, 61. Death and character, 258.
Wilſon, Deborah, a quaker, whipped, 204.
Winſlow, Edward, principal of New-Plimouth planters, 5. Agent, 149. His death, 187.
Winſlow, Joſias, ſeizes Indian princes, 276. Governor of Plimouth, 286. General in Naraganſet fight, 299.
Winſlow, Capt. Joſias, killed by Indians, ii. 307.
Winthrop, John, firſt engages, 12. Elected governor, 14. Account of his family, 14. Travels on foot through the woods, 21. Is called to account and honorably acquitted, 40. Engaged with Mr. Vane and the opinioniſts, 55 to 75. Governor, 61. Very popular, 62. Overrules at the ſynod, 68. Great concern at his apprehended danger, 129. Called to anſwer, 147. Death and character, 151.
Winthrop, John, commiſſioned by Lord Say and Seal, 47.
Winthrop Wait, agent, ii. 129. Death, 223.
Wiſe, miniſter of Ipſwich, impriſoned, 366.
Wiſwall, Mr. agent for Plimouth, 405.
Witches executed, ii. 53. 58. 59.
Women at Oyſter river gallant, ii. 163.
Woodward, Samuel, ſecretary, 212. Reſigns, 223.
Writs of intruſion, 369.

Y.

YORK county, 177. Government there, 260. Town deſtroyed, 405.
Young, Sir John, Patentee, 8.


BRITISH MUSEUM